

CITY COUNCIL REPORT



MEETING DATE: 07/10/2006 ITEM No. 21 GOAL: Economy

SUBJECT

SkySong Lease Amendment

REQUEST

The City Council is requested to adopt Resolution No. 6958 authorizing Agreement No. 2004-119-COS-A1, an amendment to the ground lease between the City and Arizona State University Foundation Scottsdale, L.L.C. which was adopted in July and effective on August 9, 2004, to allow for the addition of residential uses at the SkySong project at the southeast corner of Scottsdale Rd. and McDowell Rd. If the lease amendment is approved by City Council, the design of the project will be reviewed and addressed by the Development Review Board at future meetings.

Related Policies, References:

- Agreement No. 2004-119-COS, existing ground lease – 8/9/04 (effective date)
- ASU Scottsdale Ad-Hoc Task Force “Design Guidelines and Development Framework for the ASU-Scottsdale center for New Technology and Innovation and the Surrounding Area” report issued – 2/05
- ASU-Scottsdale Center for New Technology and Innovation - zoning approval Case #26-ZN-2005 – 6/21/05

BACKGROUND

On August 9, 2004 the City purchased the former Los Arcos Mall site and entered into a long term lease with the Arizona State University Foundation for the development of the ASU Scottsdale Center for New Technology and Innovation, commonly referred to as “SkySong”. This facility is planned to encompass 1.2 million square feet of space, primarily office/research space with some support retail and services, and will have a strong emphasis on research and technology.

The key aspects of the existing ground lease are:

1. Parties: The City is the owner of the land (lessor), and entered into a ground lease with the ASU Foundation Scottsdale L.L.C., a limited liability company affiliate of the not-for-profit ASU Foundation (ASUF).
2. Leased Premises: While the City acquired approximately 42 acres of land, the lease is only for 37 acres. The City reserved 1.5 acres on Scottsdale Rd. and 3.5 acres east of 74th St. for future development opportunities.
3. Development: It is currently anticipated that the ASUF Center, when fully developed, will consist of a number of buildings and plaza/landscaped open space areas and will include at least 1,200,000 sq. ft. of leasable space. In addition, the Center will have approximately 3000-4000 parking spaces, principally in parking structures. The permitted maximum FAR (floor area ratio) is 0.8; maximum building height is 60 feet.

Action Taken _____

4. Total Development Cost: ASUF currently projects total Center development costs to be approximately \$300 million.
5. Development Schedule: The lease calls for ASUF to meet the following development timetable:
 - Commencement of construction of the first phase (not less than 150,000 sq. ft.) by or before August 1, 2006 – this phase has already begun construction
 - Completion of construction of the first phase (not less than 150,000 sq. ft.) by or before August 1, 2007
 - Completion of construction of the second phase (not less than 150,000 sq. ft.) by or before August 1, 2010
 - An additional 150,000 sq. ft. (minimum) of leasable building area must be completed every three years thereafter until build-out of the project.Under this schedule, complete build-out is required by approximately 2028; ASUF is currently ahead of this schedule, with phases 1 and 2 expected to be complete by the end of 2007, and currently the complete build-out is projected for approximately 2012-2015.
6. Lease Term: The initial term of the Lease is 99 years, with the right to extend the Lease for an additional 99 years.
7. Nature of the Center: ASUF is required to have not less than 51% of the leaseable area (exclusive of the retail area) of the first phase occupied by organizations or businesses whose work or activities involve technology, innovation or creativity; this character must be maintained for the entire Center. With regard to the development of the Center as a whole, ASUF will support the goals and mission of Arizona State University and, recognizing the need, from time to time, to modify the composition of the tenant mix to respond to changing market conditions and to protect ASUF's and the City's investment in the Center, ASUF is required to maintain the character as a technology, innovation and creativity Center. The first building is nearly leased out, with key tenants including Arizona State (for a number of technology related functions), Wildfire Broadband, e-Funds, and the Arizona Technology Council.
8. Remedy in the Event of Non-Performance: If ASUF is unable to develop the Center in conformity with the prescribed timetable or if the character of the Center does not comply with the requirements of the Lease, then the City will have the right to terminate the Lease as to all remaining undeveloped property.
9. City Expenditures relating to the Center: The City acquired the Los Arcos property for \$41.5 million, and leased about 90% of it to ASUF, meaning that ASUF's share of the site is \$36.9 million. The City is also responsible for up to \$44.5 million of infrastructure (such as streets, water and sewer lines, landscaping, and parking) related to the development of the Center.
10. City Approvals: The development received its zoning approvals on June 21, 2005 (to a Planned Community zoning district). The first two phases of the project received design approval on December 13, 2005, and the project held an official groundbreaking on January 20, 2006. All future development phases will still require City design review and permit approvals. No fee waivers, tax abatements, or sales tax reimbursements are to be granted with respect to development of the Center by ASUF.
11. Operation of the Center: ASUF is responsible for and controls all leasing, marketing, operations, financing, development and construction of the Center and will manage (directly or through property management professionals) all day-to-day operations, including parking garage operations, landscape maintenance, rent collections, janitorial and security services, etc. ASUF has engaged a master development team (Higgins-Plaza/USAA) to assist in the

planning, design, financing and operation of the Center.

12. Rent/Recovery of City Investment: ASUF shall pay to the City, on an annual basis, fifty percent (50%) of the net revenues generated from the Center. These payments are (i) subject to an aggregate cap of \$81.4 million; and (ii) will be computed after deducting from gross revenues received from Center tenants and visitors: (a) project-related operating and maintenance expenses; (b) debt service payments (principal, interest and impounds) relating to the Center; and (c) a reserve for tenant improvements and capital expenditures from the gross revenues (including parking revenues) received from Center tenants and visitors. In the event of a refinancing or sale, any net proceeds will be shared equally by ASUF and the City.

After the lease was entered into, the City Council in November of 2004, appointed an Ad Hoc Citizens Working Group to prepare guidelines and a framework plan for the ASU-Scottsdale center and for the Scottsdale Road and McDowell Road corridors. The eleven member working group met through March 2005 to provide input on planning concepts and to generate guiding principles for the ASU Scottsdale site and surrounding area. These principles are:

1. Create balance of land uses and relationships between parcels;
2. Encourage meaningful open space and public uses;
3. Facilitate mobility and interconnectivity;
4. Demonstrate Scottsdale's continued commitment to quality;
5. Exemplify Environmental Sustainability;
6. Promote social and economic vitality of the site and surrounding area.

The Working Group, with the assistance of staff and Urban Design Associates (UDA) of Pittsburgh, Pennsylvania, created the resulting document known as the Design Guidelines and Development Framework for the ASU-Scottsdale Center for New Technology and Innovation and the Surrounding Area (attachment 3), which along with amended development standards and land uses, serves as the direction for revitalization of the area. Over 200 individuals participated and provided information and comments to help create this document.

In July of 2005, the City Council rezoned the site to Planned Community (PC), which allows research and development, general office, retail, medical office, government, service related, and residential uses. During the rezoning process, several requirements were put into place and implemented with regard to how the site plan should function, both on a human scale (pedestrian friendly) and the relationship of the open spaces to the various structures. Further, the design guidelines discussed the focus of the project to be designed to have a wide range of land uses and be an example of urban form.

The development framework plan (attachment 4), submitted and approved with zoning case 26-ZN-2004, established a combination of land uses, including identifying building areas, street and parking zones, and open space/plaza areas. This framework plan was set forth in the zoning case, so that all subsequent development and phases would be evaluated and considered based upon the adopted framework principles. Staff has used this document as a tool in analyzing the current proposal.

CURRENT PROPOSAL

ASUF has requested that the lease be modified to allow for the ability to add a residential component to SkySong. While the approved zoning for the site does allow for residential, the current lease does not allow it, and therefore would need to be amended for residential to be built. ASUF desires to build a market-rate, high quality, rental residential community of approximately 325 units as phase 3 of SkySong. This project would be located on the southeastern quadrant of the site, and would wrap the proposed parking structure for that quadrant (see attachment #5). The addition of residential to the project is seen by the developer as an important component to making it a true mixed-use development; the expectation is that some of the employees at SkySong would live in these residential units. ASUF has requested that a decision be made at this time in order for it to determine the configuration and parking needs related to the phase 2 office building in this same quadrant, which can not move forward until a decision on this is made.

The proposed lease amendment includes the following key terms:

1. Residential Permitted: The lease "Permitted Uses" section would be amended to allow for the development of residential uses. This residential would not replace current uses, but would be allowed in addition to the current plan – the 1.2 million sq.ft. of commercial space would still be required to be built. The residential would be built in addition to that, but within the current development parameters (0.8 FAR and 60' height). The maximum number of units would be as permitted under the current zoning (approximately 805 units).
2. Type of Residential Development: The amendment would require that any residential constructed must be designed, marketed, and operated as "market-rate" housing for the general public, and would not allowed to be student dorms, fraternities, sororities, or any other type of student housing controlled by Arizona State University.
3. Residential Phasing: The amendment specifies that the initial residential development is limited to 325 units. Additional residential units over and above that amount (up to the 805 maximum allowed by the zoning), would only be allowed based on a ratio of one residential unit for each 1,000 sq.ft. of commercial space built after the first two phases. The residential may be built concurrently with the commercial space, but will not receive a Certificate of Occupancy until the commensurate amount of commercial space receives a Certificate of Occupancy. This means that the first two phases of the commercial component of SkySong would contain a maximum of 325 residential units; for ASUF to achieve all 805 units allowed under the zoning, they would have to have built 805,000 sq.ft. of commercial space.
4. City Costs: The amendment will specify that there will be no costs of any kind relating to the residential component borne by the City, nor will any of the costs associated with the residential component be part of the City's current infrastructure obligation of \$44.5 million. Further, for the first parking structure (the southeast quadrant), the City's obligation for parking for the commercial components of that structure shall be capped at \$12,000 per space (credited against the infrastructure obligation), even though current parking construction cost estimates are significantly higher per space than that amount.
5. City Revenues: The amendment provides for two revenue opportunities for the City related to the residential. For each residential unit developed, the City will receive \$9,200, to be credited against the City's infrastructure obligation (or if the City has no further obligations then in cash). For the initial 325 units,

this amounts to \$2.99 million, meaning that the City's infrastructure obligation would drop from \$44.5 million to \$41.51 million. Should all the units entitled by the zoning be built, then the City's obligation would fall further to \$37.09 million. In addition to that, the City also has the ability to share in the net revenues from a sale of the residential complex in the future; if the developer realizes any net revenues from a future sale of the residential over \$40,000 per unit, the City will share in those net revenues on a 50/50 basis.

The current lease is structured as a straight 50/50 sharing of net revenues, which the developer proposed be continued for the residential portions of this transaction. The City suggested a different approach (in order to help reduce infrastructure costs and potential debt service payments) of an upfront payment plus potential sharing of future net revenues. The \$9,200 per unit was based on 50% of the expected net revenues that this development is projected to return from a future sale, based on the pro-forma for this project. This arrangement would allow the City to receive a guaranteed amount upfront to help offset development costs.

All other terms and conditions in the current lease would remain in effect.

ANALYSIS & ASSESSMENT

Land use assessment and policy implications.

The addition of a residential component to the Center has been discussed by the Ad-Hoc working group and the concept was supported by the Planning Commission and Development Review Board members as the zoning case progressed through public hearing review in the summer of 2005. Ultimately the City Council approved the zoning which included residential as an allowed use within the mixed-use project.

As the zoning allows for this use, the staff review has focused on how this proposal assures that the residential is complimentary to the primary objective of establishing a dynamic pedestrian oriented research and retail center. As discussed by the Ad-Hoc working group, the Planning Commission and Development Review Board in recent meetings, staff finds that the location of this proposed residential component serves as a transition to the adjoining neighborhoods and creates a strong pedestrian character and connection into the core of the site.

Additionally the design and quality of the proposal with regards to the overall technology vision is presently in review. Two Development Review Board Study Sessions have been held and staff is working with the applicants design team to coordinate individual meetings with the DRB members over the next couple of weeks. Staff agrees with the variety of design concerns raised by the DRB, Planning Commission and community members and have scheduled future DRB meetings for July and August to insure that the design character, quality and details are consistent with the overall project and community objectives.

Financial assessment.

The amendment would result in a positive financial benefit for the City. There are no City cost obligations associated with this amendment. The development of the initial residential units would reduce the City's infrastructure obligation by approximately \$3.0 million; if all 805 units were developed then the obligation would drop by about \$7.4 million. The City would also have the potential for additional revenues from a profit sharing arrangement upon a sale of the residential in the future – should the developer realize any profit over \$40,000 per unit, the City would share in that on a 50/50 basis. Furthermore, the City would also

receive new tax revenues from the development of the residential. For the first phase, all new tax revenues to the City (construction tax, lease rental tax, property tax, etc.) over the first 20 years are estimated to total \$2.12 million. Should all 805 units be built, the City would realize a total of \$5.23 million over 20 years.

In summary (assuming no additional revenues through the net revenue participation) the City should see at a minimum the following new additional revenue as a result of this action:

	<u>Initial 325 Units</u>	<u>Zoning Max. Units</u>
Lease revenues	\$2.99 mil.	\$7.40 mil.
New tax revenues	<u>2.12 mil.</u>	<u>5.23 mil.</u>
Totals:	\$5.11 mil.	- \$12.63 mil.

Policy implications.

The ASU-Scottsdale Ad-Hoc Task Force was reconvened and held a public meeting to discuss this project on June 13, 2006 at the Stadium, which was attended by about 25 members of the public. Six members of the ASU Scottsdale Ad Hoc Citizen's Advisory Working Group attended this meeting regarding Phase III of the SkySong project.

Following a project overview presentation the meeting was opened for input from both the working group and the 25 citizens who were in attendance. In general, four of the six Ad Hoc members stated their full support for residential and emphasized that mixed use, including residential was thoroughly discussed throughout the Ad Hoc review process; two of the members had questions related to the economic benefit of adding residential; the information sharing and involvement process; and potential impacts of increased density that would affect traffic patterns and the amount of parking available. The majority of the members endorsed residential as complementary to the innovation and technology focus and indicated it would be beneficial to attracting knowledge workers to the site. In addition, these members emphasized residential as a key component to creating a mixed-use environment that is active, serves as a public gathering place, and serves as an effective transition to the adjacent residential neighborhood. Comments from the Ad Hoc working group and meeting attendees are attached in the form of meeting minutes (attachment #6).

On June 14th, the Planning Commission agenda included a discussion item related to the McDowell Corridor revitalization, including an update on SkySong Phase III. The Planning Commission unanimously reiterated their expectation and concurrence for a mixed-use project that includes residential. In addition, they recommended that the minutes from their meeting be forwarded to the City Council prior to their July 10 review of the lease amendment and those minutes are attached (attachment #7).

The Development Review Board has held two study session meetings to discuss the project site and architectural design. The DRB comments noted their appreciation for the architects' efforts to listen and respond to their input; however they have several areas of concern with the building elevations that they expect to see significant improvement in design. Recognizing these concerns the Architect/Development team will be working to address the comments and will be meeting with staff and individual DRB members over the next several weeks. Additional DRB meetings are tentatively planned for July 20th and August 24th to

continue the design discussion and ultimately seek approval of the parking structure and residential proposal.

Community involvement.

There has been very significant community review and discussion regarding this proposal. It has been extensively covered by the local media, the City has used a variety of mechanisms to provide information about this project, and there have been a number of public meetings to discuss this. An open house was held on May 31, 2006 at the Design Studio, attended by over 100 members of the public. The ASU-Scottsdale Ad-Hoc Task Force was reconvened and held a public meeting to discuss this project on June 13, 2006 at the Stadium, which was attended by about 25 members of the public. The Planning Commission and Development Review Board have also held meetings to discuss the project.

All written communications received from interested citizens regarding this proposal have been included (attachment #8).

RESOURCE IMPACTS

Available funding.

This amendment would have no cost implications to the City. All costs of the residential development will be borne by the developer. This amendment would result in new revenues to the City of between \$5.1 and 12.6 million over the first 20 years of this transaction, plus the potential for additional revenue through the 50/50 sharing of any developer net revenues from a sale

Staffing, workload impact.

Other than time required related to the development approval of the project, which would be offset by development application and building permit fees, there is no anticipated impact to City staffing or workload.

Maintenance requirements.

This amendment would have no cost implications to the City. All maintenance costs are the obligation of the developer.

Future budget implications/cost recovery options.

Approval of this amendment would have positive budget implications to the City. Each additional residential unit will result in the payment to the City of \$9,200, as well as afford the opportunity to share in the net revenues of the development. The expected first phase of residential (325 units) would result in an approximate \$3.0 million payment to the City, which will reduce the City's current infrastructure obligation from \$44.5 million to \$41.5 million. If all 805 units authorized by the site's zoning were to be built, the total payment to the City would be about \$7.4 million, which would reduce the infrastructure obligation to \$37.1 million. The City could also see additional revenue via a profit sharing arrangement – should a sale of the units occur, the City could share in net revenues over a baseline level on a 50/50 basis. In addition, the project will generate net new tax revenues to the City – over 20 years these are projected to total between \$5.1 and 12.6 million, depending upon how many units were ultimately built.

**OPTIONS & STAFF
RECOMMENDATION**

Description of Option A:

Approve the lease amendment No. 2004-119-COS-A1 to allow for the addition of residential to SkySong.

Description of Option B:

Do not approve the lease amendment, which would result in the Center being built

as per the original lease without residential.

Description of Option C:

Delay a decision and seek further community input.

Recommended Approach:

Option A – approve lease amendment No. 2004-119-COS-A1

Proposed Next Steps:

Should the lease amendment be approved the next step would be to consider the design of the proposed residential units, with a public hearing in front of the City's Development Review Board.

RESPONSIBLE DEPT(S) Economic Vitality, Planning and Development Services

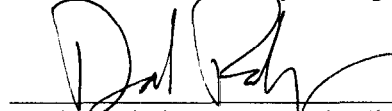
STAFF CONTACTS

Ed Gawf, Assistant City Manager, 480-312-4510, egawf@scottsdaleaz.gov
Kroy Ekblaw, Executive Assistant – Special Projects, Planning and Development Services, 480-312-7064, kekblaw@scottsdaleaz.gov
David Roderique, Economic Vitality General Manager, 480-312-7601, droderique@scottsdaleaz.gov

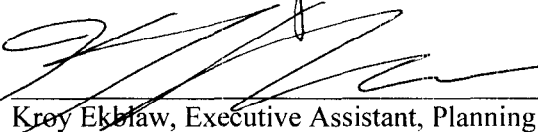
APPROVED BY


Ed Gawf, Assistant City Manager

6/27/06
Date


David Roderique, Economic Vitality General Manager

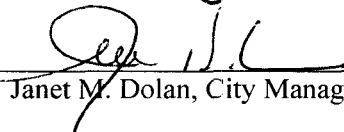
6/27/06
Date


Kroy Ekblaw, Executive Assistant, Planning

6/27/06
Date


Craig Clifford, Chief Financial Officer

6/27/06
Date


Janet M. Dolan, City Manager

27 June 2006
Date

ATTACHMENTS

1. Resolution No. 6958
2. Lease Amendment No. 2004-119-COS-A1
3. Ad-Hoc Advisory Committee "Design Guidelines and Development Framework" report
4. Development framework plan
5. Conceptual site plan
6. Ad-Hoc Meeting Minutes from June 13, 2006 meeting
7. Planning Commission Meeting Minutes from June 14, 2006 meeting
8. Written comments from public regarding this proposal

RESOLUTION NO. 6958

A RESOLUTION OF THE COUNCIL OF THE CITY OF SCOTTSDALE,
MARICOPA COUNTY, ARIZONA, AUTHORIZING AN AMENDMENT TO
THE GROUND LEASE AGREEMENT RELATED TO THE PROPOSED
SKYSONG PROJECT ON PROPERTY AT THE SITE OF THE FORMER
LOS ARCOS MALL

(Los Arcos ground lease amendment)

WHEREAS:

A. By resolution No. 6524, adopted July 6, 2004, the Council of the City of Scottsdale authorized a lease (the "Lease") with Arizona State University Foundation Scottsdale, L.L.C. ("Lessee") for a thirty-seven (37) acre parcel located at the southeast corner of Scottsdale Road and McDowell Road.

B. The City Council previously adopted Zoning Ordinance 3629 that allows for more diverse residential use of the property.

C. The City Council has determined that the public good can be best furthered by amending the Lease to be consistent with the City Council's prior zoning decision.

NOW, THEREFORE, BE IT RESOLVED that:

Section 1. The Mayor is hereby authorized to execute on behalf of the City of Scottsdale Agreement No. 2004-119-COS-A1, the First Amendment to the ASU/Scottsdale Center for New Technology and Innovation Ground Lease.

PASSED AND ADOPTED by the Council of the City of Scottsdale this ____ day of _____, 2006.

Mary Manross, Mayor

ATTEST:

Carolyn Jagger, City Clerk

APPROVED AS TO FORM:



Deborah W. Robberson, City Attorney

WHEN RECORDED RETURN TO:

City of Scottsdale
One Stop Shop/Records
(Ed Gawf)
7447 E. Indian School Road, Suite 100
Scottsdale, AZ 85251

*C.O.S. Contract No. 2004-119-COS-A1
(Los Arcos Skysong)*

FIRST AMENDMENT TO GROUND LEASE AGREEMENT

THIS FIRST AMENDMENT TO GROUND LEASE AGREEMENT (the "Amendment") is made this 10th day of July, 2006 by and between the City of Scottsdale, an Arizona municipal corporation ("Landlord") and ASUF Scottsdale, L.L.C., an Arizona limited liability company ("Tenant").

WITNESSETH

- A. Landlord is the owner of certain real property (the "Property") located at the southeast corner of Scottsdale Road and McDowell Road in the City of Scottsdale, Maricopa County, Arizona, and more particularly described in that certain Ground Lease Agreement dated August 9, 2004 and recorded August 9, 2004, at document No. 2004-0920528 of the public records of Maricopa County, Arizona the "Original Agreement").
- B. Landlord's City Council adopted Zoning Ordinance 3629 on June 21, 2005, that allows more diverse residential use of the Property.
- C. The City Council has determined that the public good can be best furthered by amending the Lease to be consistent with the City Council's prior zoning decision.
- D. Undefined terms capitalized in this Amendment have the meanings assigned in the Original Agreement.

NOW THEREFORE, in consideration of the foregoing and the mutual promises and representations contained herein, Tenant and Landlord agree as follows:

1. Residential Units Permitted. The following changes are made to the Original Agreement regarding residential uses of the Premises:

1.1 In recital B, of the Original Agreement, after the word "retail", insert the word ", residential".

1.2 In subsection 3.1(b), of the Original Agreement, after the word "office", insert the word ", residential".

1.3 In subsection 3.1(d)(xx) of the Original Agreement, delete the word "residential".

1.4 Insert a new subsection 3.3(h) to the Original Agreement as follows:

(h) Number of Residential Units. To maintain the commercial character of the Project, the number of residential units will be limited so that the maximum number of residential units in the entire Project is the lesser of:

(i) The limit under the now existing PCD zoning.

(ii) One residential unit for each one thousand (1,000) square feet of non-residential office or retail space constructed.

1.5 Insert a new subsection 3.3(i) to the Original Agreement as follows:

(i) Timing of Residential Units. Tenant will not construct residential units faster than allowed by the following rules:

(i) Notwithstanding the provisions of Section 3.3(h) above, the maximum number of residential units in the first residential phase is three hundred twenty five (325). The first residential phase is the area of the Project depicted on the map attached hereto as Exhibit "D" (the "Residential Map"). Such residential units shall not be occupied or issued a certificate of occupancy until a shell certificate of occupancy is issued for the commercial buildings designated as "A" and "B" on the Residential Map. However, in the event a delay in the issuance of a shell certificate of occupancy occurs for the non-residential building and the City Manager in his or her sole discretion determines that Tenant is diligently pursuing such shell certificate of occupancy, and that the delay will not exceed ninety (90) days, then he or she may permit the certificate of occupancy for the residential units to be issued.

(ii) No residential unit that is not part of the first phase of residential units will be occupied or issued a certificate of occupancy until a shell certificate of occupancy has been issued for the corresponding non-residential building that justified the residential unit's construction. For example, the first one hundred (100) residential units that are not part of the first phase of residential units will not be occupied (or issued a certificate of occupancy) until a shell certificate of occupancy is issued for one hundred thousand (100,000) square feet of non-residential buildings (in addition to the commercial buildings designated as "A" and "B" on the Residential Map). However, in the event a delay in the issuance of a shell certificate of occupancy occurs for the non-residential building and the City Manager in his or her sole discretion determines that Tenant is diligently pursuing such shell certificate of occupancy, and that the delay will not exceed ninety (90) days, then he or she may permit the certificate of occupancy for the residential units to be issued.

(iii) Construction of a residential unit, after the first residential phase, will not commence until Tenant commences construction of the corresponding non-residential building that justified the residential unit's construction.

1.6 Schedule 1 attached to this Amendment is hereby attached to the Original Agreement as Exhibit "D" to the Original Agreement.

2. Residential Restrictions. At the end of subsection 3.1(b), insert the following:

Residential units will be subject to the following additional restrictions:

(i) The residential units shall be designed, constructed, marketed and operated as "market rate" housing for the general public, and not targeted to students.

(ii) The residential units will not be used as student dorms, fraternities, or sororities, or in any way controlled directly or indirectly by ASU.

3. Residential Parking. In subsection 3.2(e) of the Original Agreement, insert a new subsection(v) with regard to parking for the residential units as follows:

(v) Tenant is responsible to provide all code required parking under the approved zoning for the residential units as follows:

a. The parking for all residential units will be in one or more parking structures.

b. Tenant will construct all parking structures for residential use at Tenant expense and at no expense to Landlord and shall bear all incremental costs associated with making Project Infrastructure suitable for residential development. Without limitation, Tenant will bear all increased costs caused by a parking structure not being a stand alone, naturally ventilated parking structure.

c. When a parking structure serves both residential and non-residential uses the portion of the cost allocable to the non-residential part of the project shall be limited to the cost of a stand alone, naturally ventilated parking structure.

4. Parking Structure Acceleration. Under subsection 3.2(e)(ii) of the Original Agreement, prior to completion of permanent parking structures, Landlord was to have provided temporary surface parking lots for the first four hundred fifty thousand (450,000) feet of non-residential space. To reduce the amount of temporary surface parking lot required, insert the following new subsection 3.2(e)(vi):

(vi) In the event Tenant elects to construct the first phase residential units before Landlord constructs the parking for the first four hundred fifty thousand (450,000) square feet of commercial improvements, then Tenant shall construct the southeast parking structure as follows:

a. The southeast parking structure will accommodate all of the code required parking for the first phase residential units and all of the parking for building "B" as shown on the Residential Map.

b. Landlord shall pay, as its contribution to the cost of the portion of the southeast parking structure allocated to non-residential uses, the lesser of actual costs or Twelve Thousand and No/100 Dollars (\$12,000.00) per parking space, subject to a maximum of Six Million and No/100 Dollars (\$6,000,000.00).

c. Landlord's payment to reimburse Tenant's construction of the southeast parking structure shall be paid on the later of Tenant's completion of the southeast parking structure or July 10, 2007. Landlord's payment shall be part of the Infrastructure Cap.

d. Tenant will construct the southeast parking structure according to applicable procurement laws.

5. Coordination with Rent and Infrastructure Cap. Insert a new section 5.12 in the Original Agreement as follows:

5.12 Rent with Respect to Residential Units. Tenant shall pay Landlord all Rent with regard to the residential units in compliance with all requirements of this Lease in the same manner as other portions of the Project except as modified as follows:

(i) With respect to residential uses, Net Revenues shall be calculated on the first arm's length third party sale of the residential unit. Specifically, but without limitation, such first sale shall not include any transfer by foreclosure sale, trustee's sale, sheriff's sale or deed in lieu of foreclosure, or any subsequent sale by the foreclosing lender. Any operating Net Revenue with respect to a residential unit prior to the first such sale of the residential unit shall be added to and increase the sales price of the residential unit for purposes of calculating Net Revenue for the residential unit.

(ii) The Net Revenue of the residential units will be calculated separately from the Net Revenue of the non-residential portion of the project, so that costs incurred for residential development do not diminish Net Revenue Landlord receives for the non-residential parts of the project, and vice versa.

(iii) When other Project costs are incurred to serve both residential and non-residential parts of the Project, the incremental cost to serve the residential part will be allocated to the residential units and the remainder will be allocated to the non-residential part.

(iv) Landlord's funds shall not be spent for the residential units or for parking structures, or any Infrastructure or other things to support the residential units or for any costs caused by the residential units being included in the Project. Tenant shall bear all costs to design, construct and operate the residential units.

(v) When a certificate of occupancy is issued for a residential unit, Tenant shall pay to Landlord the amount of Nine Thousand Two

Hundred and No/100 Dollars (\$9,200,00) (the "Unit Amount") as a partial payment of Rent for that residential unit as follows:

(1) If, at the time the certificate of occupancy has been issued, the remaining unspent amount of the Infrastructure Cap is more than the Unit Amount, then Tenant's payment shall be made by reducing the remaining unspent amount of the Infrastructure Cap by the Unit Amount. If the Infrastructure Cap is reduced in that manner, then the Landlord's Costs, the Total Cost Cap, and other amounts that include the Infrastructure Cap shall likewise be reduced so that Landlord's funding obligations under this Lease are reduced dollar-for-dollar.

(2) In the event the Unit Amount exceeds the remaining unspent amount of the Infrastructure Cap, Tenant shall pay the excess amount to Landlord in cash, to the extent of the shortfall.

(3) No credit or cash payment Landlord receives of a Unit Amount is refundable to Tenant for any reason.

(4) For purposes of calculating Net Revenue for non-residential portions of the Project, the Net Revenue calculations shall be applied as if Landlord had spent all Unit Amounts (whether received by Landlord as credit or cash) for Infrastructure. For purposes of calculating Net Revenue for residential portions of the Project, the Unit Amount shall be considered a Project cost and shall be subtracted from Gross Revenue in determining Net Revenue.

(vi) Tenant shall also pay to Landlord Net Revenue from a residential unit as follows:

(1) Tenant shall retain the first Forty Thousand and No/100 Dollars (\$40,000.00) of Net Revenue from each residential unit.

(2) Tenant shall pay to Landlord fifty percent (50%) of all remaining Net Revenue from said residential unit no later than thirty (30) days after the sale.

(vii) All amounts paid by Tenant as Rent shall be subject to the limits otherwise applicable to Rent paid to Landlord, except that Unit Amounts payable after Tenant has paid Rent equal to the Total Cost Cap shall not be subject to the Total Cost Cap.

6. Miscellaneous. The parties also agree as follows:

6.1 Recording. Within ten (10) days after the date of this Amendment, Tenant shall cause this Amendment to be recorded in the office of the Maricopa County Recorder.

6.2 No Further Amendment. Except as expressly amended by specific provisions of this Amendment, the Original Agreement and the parties' respective rights and obligations related to the Original Agreement are not affected by this Amendment.

6.3 Integration. This Amendment constitutes the entire agreement between the parties with respect to amending the Original Agreement and supersedes any prior agreement, understanding, negotiation, draft agreements, discussion outlines, correspondence and memoranda or representation regarding amending the Original Agreement.

6.4 Tenant's Prior Assignees. Tenant warrants and represents that instruments in substantially the form attached to this Amendment as Schedule 2 (the "Lienholder Consents") have been executed and acknowledged by each person other than City having or claiming a lien, lease, easement, sublease or other interest in or under the Original Agreement or in any part of the Property whereby such persons join in this Amendment and subject and subordinate their interests to this Amendment and the Original Agreement and all requirements, provisions and conveyances of this Amendment and the Original Agreement. Tenant shall attach such Lienholder Consents to this Agreement and record them with this Amendment.

6.5 Third Party Beneficiaries. There are no third party beneficiaries to this Amendment or the Original Agreement.

EXECUTED as of the date first given above.

Tenant: **ASUF SCOTTSDALE, L.L.C.**, an Arizona
limited liability company

By: _____
Its: _____

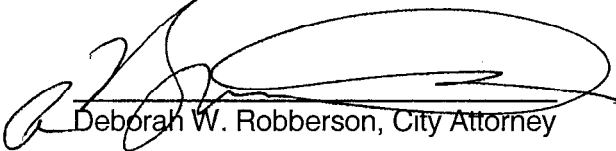
City: **CITY OF SCOTTSDALE**, an Arizona
municipal corporation

By: _____
Mary Manross, Mayor

ATTEST:

Carolyn Jagger, City Clerk

APPROVED AS TO FORM:



Deborah W. Robberson, City Attorney

STATE OF ARIZONA)
) ss.
County of Maricopa)

The foregoing instrument was acknowledged before me this _____ day of _____, 2006 by _____, _____, of ASUF Scottsdale, L.L.C., an Arizona limited liability company.

Notary Public

My Commission Expires:

STATE OF ARIZONA)
) ss.
County of Maricopa)

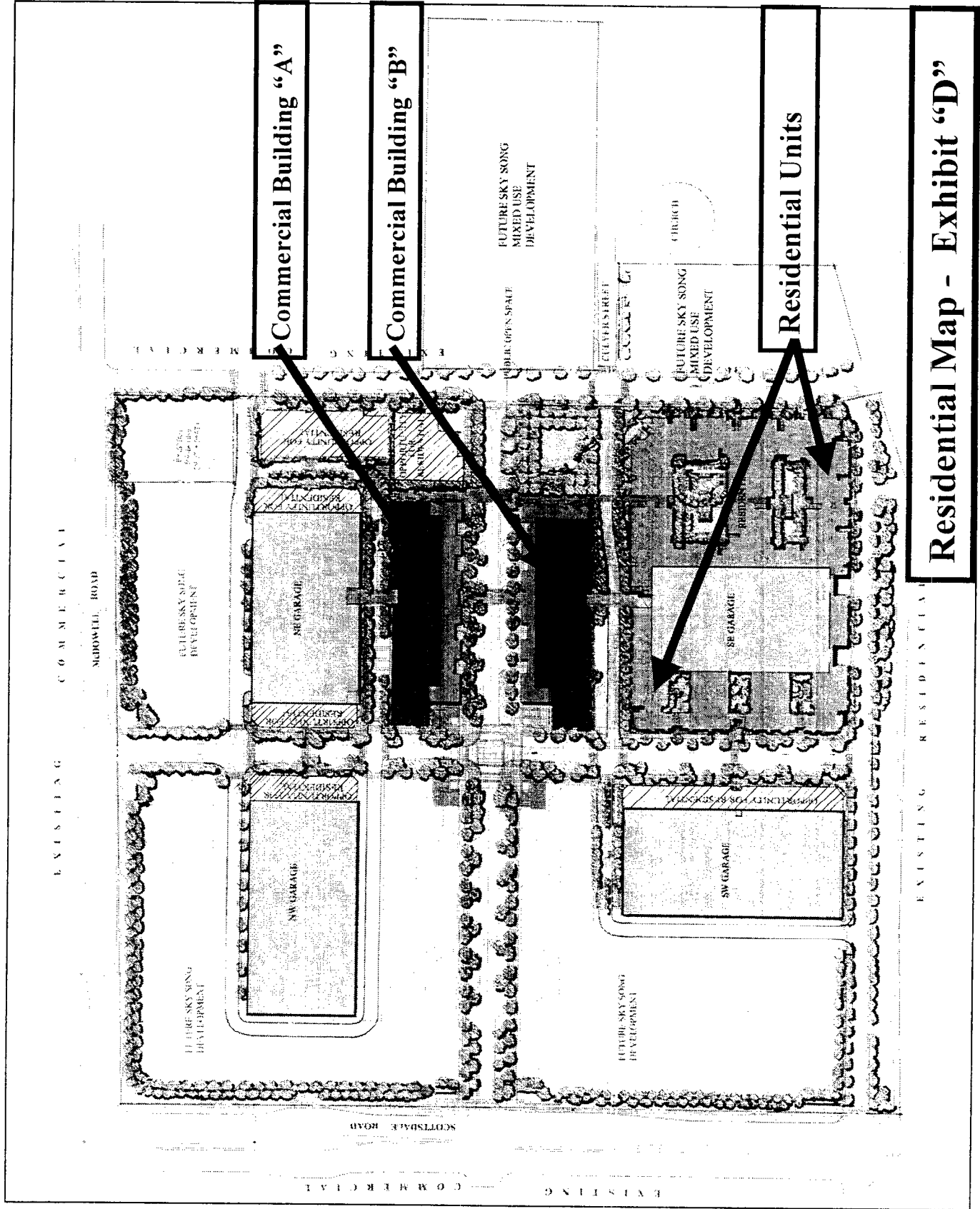
The foregoing instrument was acknowledged before me this ____ day of _____, 2006 by Mary Manross, Mayor of the City of Scottsdale, an Arizona municipal corporation.

Notary Public

My Commission Expires:

TABLE OF SCHEDULES TO FIRST AMENDMENT

<u>Schedules</u>	<u>Description</u>
1	Map showing first residential phase.
2	Form of consent to first amendment to ground lease amendment.



CONSENT TO FIRST AMENDMENT TO GROUND LEASE AGREEMENT

The undersigned, having or claiming a sublease, lien or other interest in the Property under the Original Agreement as defined in the First Amendment to Ground Lease Agreement to which this consent is attached hereby joins in said Amendment and the Original Agreement and subjects and subordinates its interests to said Amendment and the Original Agreement as so amended and their requirements.

EXECUTED as of the date of the said Amendment.

By:
Its:

STATE OF ARIZONA)
)
County of Maricopa) ss.

The foregoing instrument was acknowledged before me this ____ day of _____, 2006, by _____, _____ of _____, a _____.

Notary Public

My Commission Expires:

Scottsdale/Arizona

Design Guidelines and Development Framework
for the ASU-Scottsdale Center for New Technology and Innovation
and the Surrounding Area

City of Scottsdale

Ad Hoc Citizens Advisory
Working Group

U R B A N D E S I G N A S S O C I A T E S

February 2005

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- Strength/Weakness/Vision Summary
- Examples of Possible Applications of the Guidelines
- Plant Palette

Note: Photos and illustrations included in this document are designed to demonstrate relationships and concepts, and are not intended to establish a particular architectural style.

Scottsdale City Council

Mary Manross

Mayor

Betty Drake

Wayne Ecton

W.J. "Jim" Lane

Robert Littlefield

Ron McCullagh

Kevin Osterman

**Ad Hoc Citizens Advisory Working
Group**

George Adams

Marilyn Armstrong

Paul Burns

Susan Coykendall

James Cramer

Margaret Dunn

Thomas Jelinek

Kurt Merschman

Andrea Michaels

Rita Saunders-Hawranek

Steven Steinberg

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Jan Dolan

City Manager

Ed Gawf

Deputy City Manager

Kroy Ekblaw

*General Manager, Planning and
Development Services*

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General Manager, Transportation

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General Manager, Economic Vitality

Lisa Collins

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Citizen and Neighborhood Resources*

Teresa Huish

Strategic Planning Manager

Katherine Hutton Raby

Economic Development Manager

Robin Meinhart

*Communications and Customer Relations
Manager,
Planning and Development Services*

Thanks to Darren Petrucci, whose presentation on connections and urban design sparked ideas and creativity.

Special thanks to all the focus group participants which included residents, major employers, representatives of area businesses, development community representatives, service providers, and homeowners associations.

Consultant Team

Urban Design Associates

Urban Earth Design

Introduction

I Introduction

Purpose

2

This document identifies the issues and objectives for the ASU-Scottsdale Center for New Technology and Innovation (ASU-Scottsdale Center) site and the surrounding area. It will serve as the support for the re-zoning of the ASU-Scottsdale Center site and as the final report of the Ad Hoc Citizens Advisory Working Group. The guidelines and framework of this report indicate Scottsdale's aspirations for the site and surrounding area. They are not to be taken as absolutes, or to be applied only to the Arizona State University Foundation (ASUF) developer, but will be used to guide the direction of development of the site and surrounding area.

Background

In August 2004 the City of Scottsdale purchased the vacant 42-acre former Los Arcos Mall site with the purpose of revitalizing the southern part of Scottsdale and promoting economic vitality. The City's goal for the site and surrounding areas is to create "an urban, mixed-use knowledge-based center, which includes high-tech business incubation, education, research, office, and possible creative options to incorporate appropriate residential, commercial, and supportive retail uses."

Also in August, the City entered into a long term lease agreement with the ASUF for 37 acres of the site on which will be situated the ASU-Scottsdale Center. The City retained 5 acres of the 42 acres for future development. The vision of ASUF for the 37 acre ASU-Scottsdale Center is for "a unique 21st century business community location for technology innovation and commercialization that stimulates the economy, revitalizes the neighborhood and brands the City, ASU and the region as leaders in the knowledge economy." The lease requires significant investments to be made by the City and ASUF.

In November 2004, the Scottsdale City Council selected Urban Design Associates (UDA) of Pittsburgh to work with city staff and the community to prepare guidelines and a framework plan for the ASU-Scottsdale Center site and to develop a revitalization strategy for the Scottsdale Road and McDowell Road corridors. Also in November, the City Council appointed an eleven member Ad Hoc Citizens Advisory Working Group to work with city staff and UDA and to advise Council on development guidelines and a framework plan for the ASU-Scottsdale Center and the surrounding area.

II Planning Context

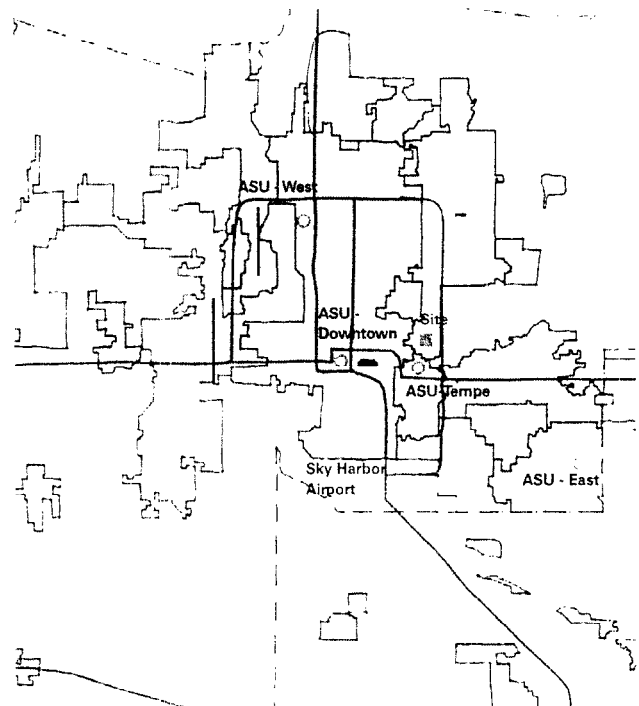
The ASU-Scottsdale Center site is located in Scottsdale at a strategic point in the Phoenix region at the intersection of two major arterial streets, Scottsdale and McDowell Roads. The site is within minutes of the ASU Tempe Campus and Downtown Scottsdale. Also conveniently nearby are the Phoenix Sky Harbor Airport, Downtown Phoenix, and the Loop 101 and Loop 202 Freeways.

This section of Scottsdale, as one of the earliest-settled parts of the City, is characterized by single-family residential neighborhoods and strip commercial development along the arterial roads. Two regional open space amenities flank Scottsdale: the Indian Bend Wash to the east and Papago Park to the west.

The closing of the Los Arcos Mall in 1999 left a hole in the City. Controversial redevelopment proposals for a sports arena and later for big-box retail developments did not materialize and further frustrated residents. In addition to the loss of jobs and tax base for the City was the loss of the community shopping center and gathering place for this part of Scottsdale.

Regional Map

The ASU-Scottsdale Center is located in the center of the region, proximate to the airport, ASU Tempe and Downtown Scottsdale.

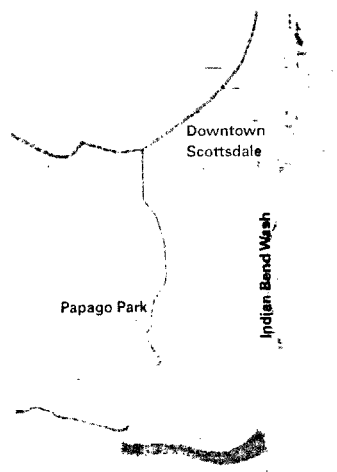


The development of the ASU-Scottsdale Center is a catalyst for the revitalization of the commercial corridors of Scottsdale Road and McDowell Road. This project is one of many revitalization projects and proposals, including: Scotts-

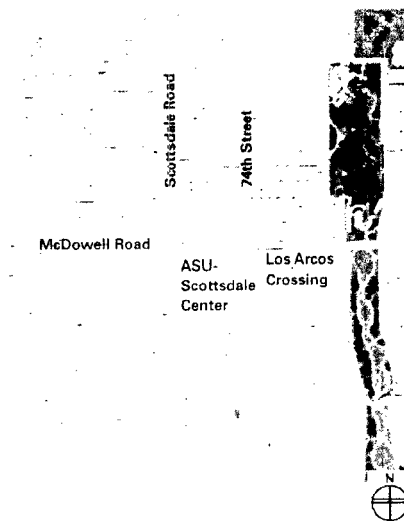
dale Road aesthetic/streetscape enhancements; McDowell Road streetscape; Capital Improvement Projects (e.g. storm-water drainage); transit enhancements; and the overall Scottsdale Revitalization Program.

Parks and Open Space

The Center is located between two of the region's most popular recreational destinations: Papago Park and the Indian Bend Wash.



Indian Bend Wash

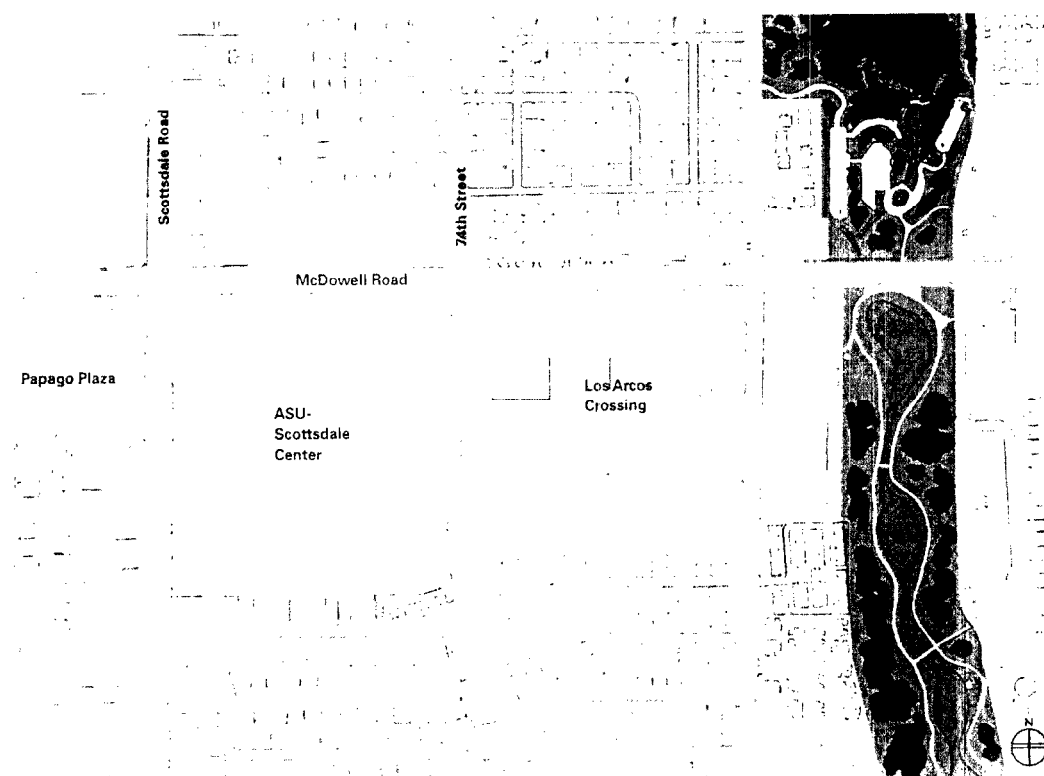


Portrait

The Center will be located at the 100% corner (active intersection of Scottsdale and McDowell Roads) in this part of Scottsdale and adjacent to a major redevelopment opportunity at Los Arcos Crossing.

Neighboring commercial center





Portrait

6

The site is located at the southeast corner of Scottsdale Road and McDowell Road.

*(below left)
Southeast view of the site from the intersection of Scottsdale Road and McDowell Road*

*(below right)
View northwest from the site at the corner of Scottsdale Road and McDowell Road*



III Ad Hoc Citizens Advisory Working Group

The eleven member Ad Hoc Citizens Advisory Working Group (Working Group) was appointed by Scottsdale City Council on November 16, 2004 to provide community perspective and to seek neighborhood input on planning concepts for the ASU-Scottsdale site and surrounding areas. They were charged with three tasks over the course of six months (November 2004 to April 2005).

- 1 Identify opportunities and constraints that exist in the Scottsdale-McDowell Road Corridor area immediately surrounding the ASU-Scottsdale Center site
- 2 Create a framework plan for the ASU-Scottsdale Center site
- 3 Identify land use options for the two parcels totaling five acres of land retained by the City for development

In looking at these areas, the Working Group was asked to consider at least the following items:

- Connections to, and integration with, adjacent commercial and residential neighborhoods
- Land use relationships between the site and adjacent parcels and economic vitality
- Public open spaces/sense of place
- Circulation: including pedestrian, vehicular, bicycle, and transit opportunities
- Parameters of development – building, massing, and setbacks

Working Group



Beginning November 18, 2004, the Working Group met weekly and worked with city staff and UDA, the planning consultant. Their work was highlighted by a four day design charrette at the Community Design Studio the week of January 10, 2005.

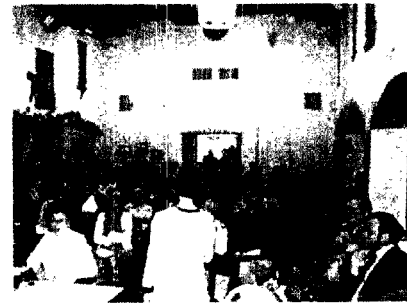
An initial UDA team trip to Scottsdale in November included meetings with the Working Group, community leaders, and focus groups, along with collection of base data and previous planning reports. UDA documented and photographed the site and adjacent neighborhoods.

Throughout November and December, the Working Group crafted Guiding Principles for the ASU-Scottsdale Center site and surrounding area. They discussed goals, opportunities, and constraints of revitalization of this area. An important basis of the Working Group process was the work of UDA,

who prepared analysis of the data, a summary of the issues, local and national precedent studies of similar developments, and development frameworks.

The public design charrette was hosted by the Working Group during the week of January 10. Design guidelines to illustrate concepts expressed in the guiding principles were developed by the UDA team in collaboration with the Working Group and city staff. Focus groups were reconvened for additional input and reaction to the design concepts. A community workshop was held at the Community Design Studio on January 13, at the end of the charrette to present the design alternatives for further citizen input.

The Design Charrette, Working Group discussions, and focus groups have formed the basis for this report to the community and the City Council.



Public Process

The Development Guidelines were developed in an open, public process engaging citizens and stakeholders.

Vision & Guiding Principles

Vision & Guiding Principles

Vision

10

The ASU-Scottsdale Center for New Technology and Innovation (ASU-Scottsdale Center, or Center) is envisioned as a world class “assembly point” of knowledge and technology business. More importantly, the Center is envisioned as a catalyst for the renaissance of the entire Scottsdale Road/ McDowell Road corridor. As Arizona State University President Michael Crow has stated: “The Center will be a place where research interfaces with economic development, technology and innovation, and education engages with the local community.” The City of Scottsdale, ASU, and ASU Foundation (ASUF) will work together with the community to ensure the technology development and innovation role envisioned for this Center comes to fruition. To help achieve that end, the Ad-Hoc Citizens Advisory Working Group has established the following Guiding Principles for the ASU-Scottsdale Center and the Scottsdale/McDowell Area. These are guiding principles and will be applied to the Center, taking the missions of the ASUF and the City into consideration.

Guiding Principles for the ASU-Scottsdale Center and the Scottsdale/McDowell Area

- Interconnect the ASU-Scottsdale site with Los Arcos Crossing, surrounding retail, and other commercial and residential areas.
- Anticipate the Los Arcos Crossing redevelopment when creating ASU-Scottsdale Center plans for development.
- Create positive relationships and transitions, including scale and proportion, to existing residential areas.
- Promote a mixed-use environment and the desired high-activity level in the area (e.g. office/research, retail, hotel, cultural/civic, open space, multi-use parking, and a variety of housing, including mid-density lofts or townhouses).
- Encourage residential uses in the properties adjacent to the ASU-Scottsdale Center and in the surrounding area.
- Provide parking that is sufficient for uses, but ensure that it is not a dominant feature on the site or in the surrounding areas.

Guidelines for the Surrounding Area

- Provide a sense of place and focus for the area including the concept of an urban oasis.
- Create public spaces that are amenities for employees and the community.
- Require appropriate landscape setbacks along major roadways.
- Create a pleasant, pedestrian-friendly, urban environment that includes walkways that are shaded, safe, accessible, well-lighted, and convenient.
- Create indoor and outdoor gathering places for the community.
- Encourage access and use of the public outdoor areas on the site.

Guidelines for the Center

- Create safe and convenient connections between Los Arcos Crossing, Indian Bend Wash, Papago Park, and surrounding neighborhoods using all transportation modes, including neighborhood transit circulators.
- Ensure that pedestrian paths are safe (including lighting where appropriate), convenient and clearly identified.
- Improve east/west and north/south connections through better accessibility and wayfinding.
- Recognize and preserve the role of McDowell and Scottsdale Roads as an existing major auto and transit corridor which also creates safe and inviting pedestrian crossings.

- Preserve and enhance Scottsdale Road as the future high capacity transit corridor.
- Strengthen bicycle connections and establish the area as an employment bicycle commuter center by incorporating bicycle parking in parking lots and in buildings.
- Enhance pedestrian traffic and a more intimate environment along the neighborhood access streets (e.g. 74th Street) by using roadway markings, narrower streets, and potentially on-street parking.
- Capitalize on the location of the ASU-Scottsdale Center recognizing the proximity of the 101 and 202 freeways and enhancing the gateway experience from the freeways to this area.

Guidelines for the Center Building

- Make the ASU-Scottsdale Center a landmark project that will establish and encourage the same aspirations and goals for the surrounding area.
- Ensure that when the project, including design and building materials, is progressive, that it is also complementary to surrounding areas.
- Design for year round outdoor climate considerations (i.e. extensive shade in the summer, sunny spaces in the winter).
- Integrate public art into the project.
- Capitalize on views of Camelback Mountain and the Papago Buttes.
- Mark and celebrate the unique assets and charm of this area and surrounding neighborhoods.

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Development Guidelines

I Parameters of Development

ASU/Scottsdale Lease Summary

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Land Lease

The land lease, executed on August 9, 2004, is between the City of Scottsdale (lessor), owner of the property; and ASU Foundation Scottsdale L.L.C. (lessee), developer of the property. The lease includes 37 acres of the 42 acre Los Arcos Mall site. The City retained five acres in two distinct parcels of approximately 3.5 acres and 1.5 acres. The term of the lease is for 99 years with the right to renew for an additional 99 years.

Minimum Development Requirements

Start of construction of Phase One (not less than 150,000 square feet): August 1, 2006

Completion of Phase One: August 2007 or sooner

Completion of Phase Two: (not less than 150,000 square feet) August 1, 2010 or sooner

Minimum of 150,000 square feet every three years until build-out is complete in August 2025

Development and Construction Requirements

Total development: 1,200,000 square feet

Office development: 1,065,000 square feet

Retail development: 135,000 square feet

Floor Area Ratio (FAR): 0.8

Maximum building height: 60 feet

Total parking spaces needed: 4000



Design Guidelines

- Sidewalks, setbacks, and building mass are at a pedestrian friendly scale.
- Setbacks on McDowell and Scottsdale Roads are at an appropriate scale.
- Parking is well designed and invisible.
- Public art is integrated into the project.
- Mixed uses are provided – office/ research, retail, hotel, housing (mid density lofts or townhouses), cultural/civic, open space, hidden multi-use parking.
- Comfortable and safe spaces are created.

Tenant Mix and Tenancy

Not less than 51% of Phase One shall be occupied by organizations or businesses whose work or activities involve technology, innovation, or creativity. In future phases the tenant mix may be modified but ASU Foundation L.L.C. will maintain the character of the ASU-Scottsdale Center as a technology, innovation, and creativity center until at least one million square feet are constructed, or until 2025, whichever is first to occur. To promote entrepreneurship, it would be desirable if tenants have access to shared multi-purpose conference meeting space and administrative services.

City of Scottsdale Ownership

The City acquired the 42 acres for \$41.5 million. The City will further invest

\$44.5 million in site preparation, infrastructure (streets, sidewalks, utilities, landscaping, and open space), and parking.

Revenue Sharing with the City

ASU Foundation L.L.C. will pay to the City, on an annual basis, fifty percent (50%) of the net revenues generated by the ASU-Scottsdale Center until the sum of \$81.4 million is achieved.

City Ownership of the Property

City of Scottsdale Property

The city ownership is in two parcels: one of 1.27 acres along Scottsdale Road, and one of 3.73 acres on the east side of North 74th Street, south of McDowell Road. Both parcels will be part of the rezoning process for the ASU-Scottsdale Center and will be governed by the Design Guidelines and Development Frameworks in this report, including an FAR of 0.8 and a maximum building height of 60 feet.

The 1.27 acre site is a “floating” site in that it can be located anywhere along the Scottsdale Road frontage and will be incorporated into the master plan of the developer of the ASU-Scottsdale Center. Potential uses include a business or conference hotel, retail, and offices.

The 3.73 acre site could be incorporated into the redevelopment of the Los Arcos Crossing project. Potential uses include “main street” retail, multi-family housing, and mixed use buildings with ground floor retail and upper floor residential.

II Site Design Guidelines for ASU-Scottsdale Center

Site Access

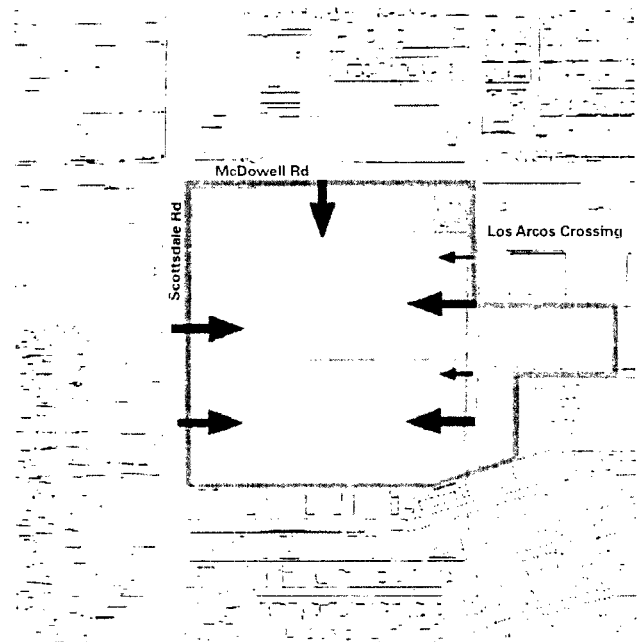
16

The identification of access points assures the penetration of the site and coordination of the network of new streets, side-walks, and multi-use paths with the adjacent streets and developments.

Vehicular access will likely occur as indicated on the diagram "Vehicular Site Access" to utilize existing median breaks and curb cuts, appropriate intersection spacing, and coordination with adjacent development of Los Arcos Crossing Site. Primary vehicular access to the site will generally be from the street, not a driveway. Additional access points may be needed depending on the site plan and development phase.

Vehicular Site Access

Vehicular access to the site should utilize existing median breaks and curb cuts and assure coordination with adjacent properties.



Pedestrian Access

Pedestrian access to the site helps to create a fine grain urban fabric and pedestrian network. Pedestrian access will include public sidewalks, plazas, building entries, and paseos (narrow walks and lanes).



Pedestrian Site Access

Pedestrian access to the site will create a fine grain fabric for development

17

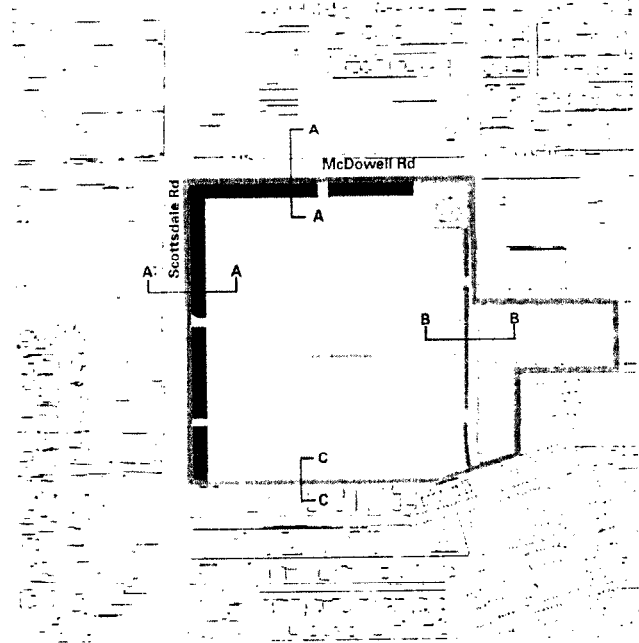


Perimeter Landscape

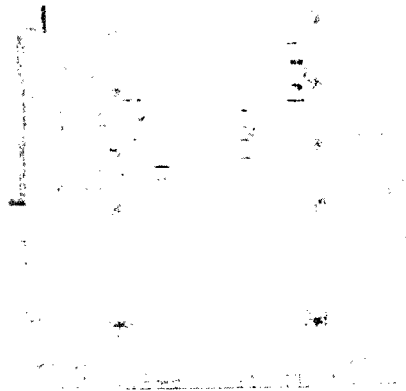
The perimeter of the site will be designed to respond to adjacent properties, their uses, and the scale of development.

Along Scottsdale Road and McDowell Roads, the edge is intended to allow for pedestrian interface with transit as well as protection from adjacent vehicular traffic.

Trees should be planted in double rows at the sidewalk to establish a strong image for the center and shade for pedestrians. Sidewalks should be designed to increase pedestrian comfort and safety from major roadways and facilitate pedestrian movement. This may be accomplished by allowing a separation of a minimum of six feet between the curb and sidewalk. This zone may be landscaped or hard-surfaced depending on project design. Landscape planting should be easy to maintain, suitable to Scottsdale's dry climate, and sensitive to pedestrian activities.

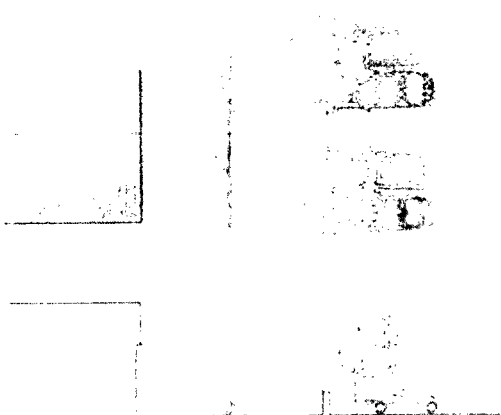
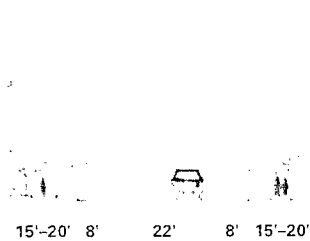
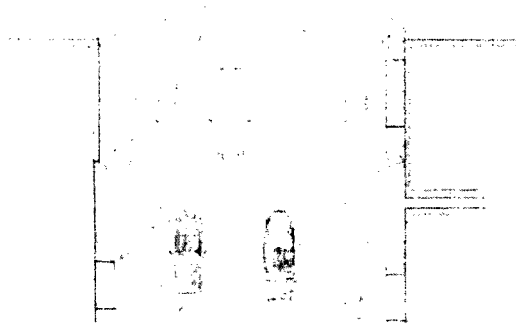


Perimeter Landscape



**Illustrative Section
A-A at Scottsdale
Road and McDowell
Road**

*The edge of the site
along Scottsdale and
McDowell Road will
contain a strong and
distinctive landscaping
and building edge.*



Illustrative Section B-B at 74th Street

The east edge of the site, 74th Street, will become a seam between the center and the neighborhood. A double row of trees will create a tunnel of shade.



Illustrative Section C-C at South Edge

The neighborhood to the south of the site will transition from the site.

Street and pedestrian lighting should be specific and unique to the project identity and should be extended for consistency into the larger district on Scottsdale and McDowell Roads. All elements (landscaping, lighting, etc.) should remain consistent with the overall Scottsdale Road and McDowell Road streetscape designs.

Environmental graphics should be tastefully incorporated into the street environment and frontage in a manner that is appropriate for the ASU Scottsdale Center.

Signage will be compatible with the overall image of the project.

Buildings on Scottsdale Road and McDowell Road will have a setback between 25 and 35 feet. Buildings will be situated in such a way as to maintain pedestrian access to frame the streets and to create entrance courts, public spaces, and an urban feel.

The 74th Street perimeter of the site is a neighborhood street. It will have two moving lanes of traffic, with parallel or angled parking on both sides. Buildings should face onto 74th Street. Bulb-outs at the corners will reduce the scale of the street, creating a shorter distance to calm through traffic and for pedestrians to cross. The street will have sidewalks and a double row of trees creating a well shaded sidewalk and a lush edge to the site.

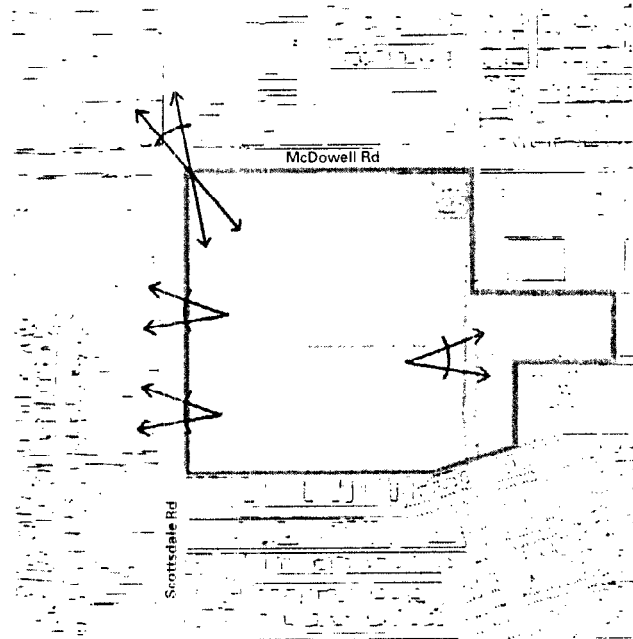
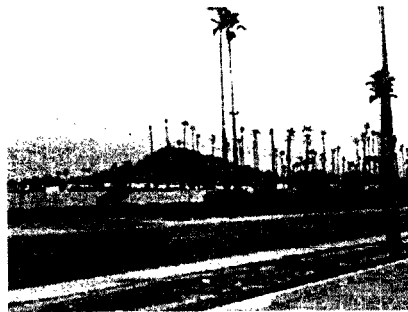
The south perimeter should be designed to provide an appropriate transition to the residential neighborhood adjacent the site. The edge could include landscape or other treatments to provide separation. Buildings on the south edge of the site will have an appropriate setback from the alley right-of-way.

Views To and From the Site

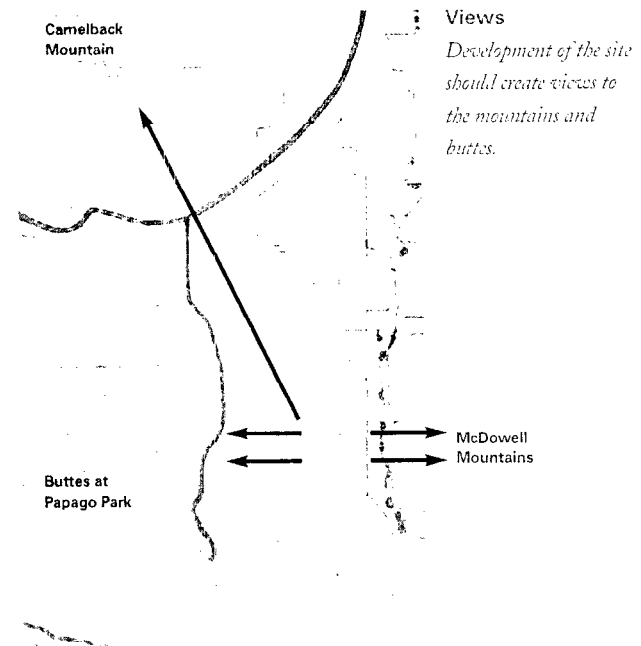
The site shall be developed to create views into the site from the adjacent streets. The view into the site should be of a prominent public space that could be framed by buildings.

Views of Camelback Mountain and the buttes at Papago Park should be considered in the placement of buildings and public space. Private roof-top spaces, terraces and decks should also take advantage of views. Public spaces that take advantage of views should also be encouraged.

*View from the site to
Camelback Mountain*



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Transitions to Adjacent Parcels

The ASU Scottsdale Center will be developed at a density and height greater than much of the surrounding residential neighborhood. As such, it is important that the Center be a good neighbor by integrating itself with the neighborhood and mitigating the impact of the scale difference.

The buildings on the site should transition in height and density from residential neighborhoods, especially that which is immediately adjacent to the south. Per Scottsdale development requirements, parking lot lighting should be shielded from residential use and surface parking lots should be landscaped and screened.

The development of the site should also relate to the potential revitalization of the Los Arcos Crossing Site. 74th Street should be designed as a seam between these two development efforts with compatible land uses and a consistent design on both sides of the street. New development of the east side of 74th Street (the Los Arcos Crossing Site) may include a new east-west street. It would serve as one of the primary pedestrian connections between the ASU-Scottsdale Center and the Indian Bend Wash.

The City of Scottsdale and the ASU-Scottsdale Center will work together to determine access and parking needs for the Los Arcos Methodist Church and will meet those needs on the Church property and within the context of the development of the surrounding parcels.

III Architecture Guidelines

The Architecture Guidelines will respond to the Sonoran Desert and to the local climate and will be compatible with the Site Design Guidelines in the previous section. 23

Through the Site Design Guidelines and the Architecture Guidelines, this document focuses on creating quality development projects. These guidelines are designed to be flexible in order to meet future needs.

The Architecture Guidelines are organized in two sections: General architecture guidelines, that are applicable to the entire site and address details, materials, and massing; and Architectural guidelines for specific building types.

Scottsdale Sensitive Design

Principles for ASU-Scottsdale Center and Surrounding Areas

Development should respect and enhance the unique climate, topography, vegetation and historical context of Scottsdale's Sonoran desert environment, all of which are considered amenities that help sustain our community and its quality of life. The following design principles will help improve and reinforce the quality of design in our community:

1. The design character of any area should be enhanced and strengthened by new development.

- Building design should be sensitive to the evolving context of an area over time.

2. Development, through appropriate siting and orientation of buildings, should recognize and preserve established major vistas, as well as protect natural features.

3. The design of the public realm, including streetscapes, parks, plazas and civic amenities, is an opportunity to provide identity to the community and to convey its design expectations.

- Streetscapes should provide continuity among adjacent uses through use of cohesive landscaping, decorative paving, street furniture, public art and integrated infrastructure elements.

4. Developments should integrate within the pedestrian network alternative modes of transportation, including bicycles and bus access, that encourage social contact and interaction within the community.

5. Development should show consideration for the pedestrian by providing landscaping and shading elements as well as inviting connections to adjacent developments.

- Design elements should be included to reflect a human scale, such as the use of shelter and shade for the pedestrian and a variety of building masses.

6. Buildings should be designed with a logical hierarchy of masses:

- To control the visual impact of a building's height and size
- To highlight important building volumes and features, such as the building entry.

7. The design of the built environment should respond to the desert environment:

- Interior spaces should be extended into the outdoors both physically and visually when appropriate
- Materials, colors, and textures associated with this region should be utilized.
- A variety of textures and natural materials should be used to provide visual interest and richness, particularly at the pedestrian level.
- Features such as shade structures, deep roof overhangs and recessed windows should be incorporated.

8. Developments should strive to incorporate sustainable and healthy building practices and products.

- Design strategies and building techniques, which minimize environmental impact, reduce energy consumption, and endure over time, should be utilized.

9. Landscape design must respond to the desert environment by utilizing a variety of mature landscape materials indigenous to the arid region.

- The character of the area should be emphasized through the careful selection of planting materials in terms of scale, density, and arrangement.
- The landscaping should complement the built environment while relating to the various uses.

10. Site design should incorporate techniques for efficient water use by providing desert adapted landscaping and by preserving native plants.

- Water, as a landscape element, should be used judiciously
- Water features should be safely placed in locations with high pedestrian activity.

11. The extent and quality of lighting should be integrally designed as part of the built environment.

- A balance should occur between the ambient light levels and designated focal lighting needs.
- Lighting should be designed to minimize glare and invasive overflow, to conserve energy, and to reflect the character of the area.

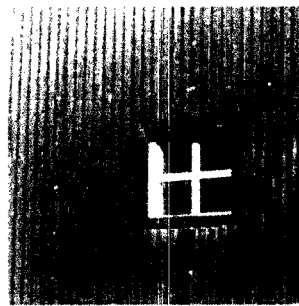
12. Signage should consider the distinctive qualities and character of the surrounding context in terms of size, color, location and illumination.

- Signage should be designed to be complementary to the architecture, landscaping and design theme for the site, with due consideration for visibility and legibility.

13. Exterior materials should be responsive to climate, adjacent context, site orientation, and building usage. Examples of appropriate materials are illustrated at right.

Materials and textures

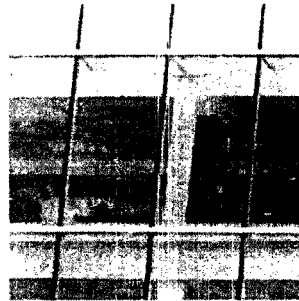
26



Metal cladding



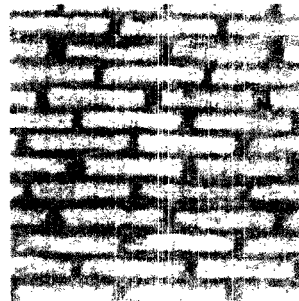
Stone



Curtain Wall



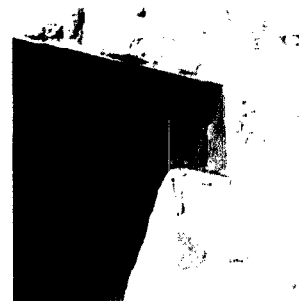
Metal



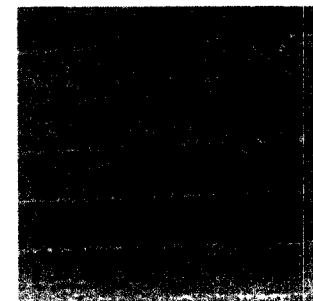
Brick



Stucco



Steel



Textured Concrete

IV Infrastructure

Per the lease agreement, the City is responsible for \$44.5 million in infrastructure development on the ASU-Scottsdale site including water and wastewater service, stormwater drainage, parking, landscaping, and a public plaza. Development will be coordinated between the City and the developer to maximize the provision of public infrastructure.

27

Lighting

The City will provide appropriate street and pedestrian lighting as well as lighting in public plazas and parks. Lighting should complement the site's architecture and create a sense of safety. Lighting should be adequate for security but should not be overpowering.



Site Utilities

The City will provide water, waste water sewer, and storm sewer utilities as part of public right-of-way construction. Private utilities (electric, telephone, cable, broadband, fiber optic, etc.) will also be underground in the public right of way. The location of all utilities will be coordinated by the City.

Site Clearance

The City will provide demolition, environmental remediation, and grading for the property.

v Transportation Connections

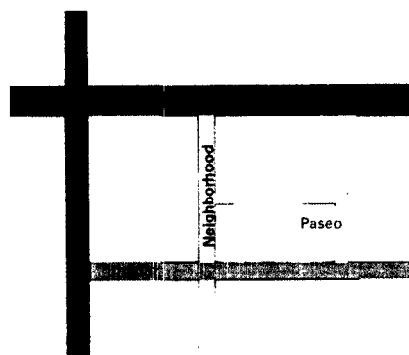
Street Types and Hierarchy

29

The ASU-Scottsdale Center for Technology and Innovation is expected to create approximately 4,000 jobs upon build-out. It will be a regional destination and commercial mix of uses at a density that can support and be supported by the existing street system and transit.

Development of the site will include a variety of street types: arterial, interior, neighborhood, and paseo. They will create a hierarchy for area development and a strong identity for the site. All streets and pedestrian paths must comply with applicable ADA requirements and intent.

Arterials (Scottsdale and McDowell Roads) border the site to the north and west. They are predominately auto- and mass-transit-oriented streets. These streets move relatively high volumes of traffic using all transportation modes and create a high-visibility thoroughfare for commercial development. The Perimeter Landscape guidelines described previously recommend a strong landscape and architectural edge to these arterial streets. Driveways and service access are prohibited directly off of arterials. Both Scottsdale and McDowell Road should have wide sidewalks and on-street provisions for bicycles.



Street Types

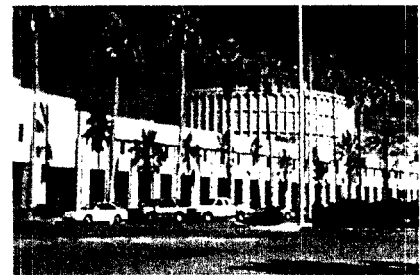
*A Hierarchy of street
types create a
framework for
development.*

Interior streets are the primary pedestrian and retail spine in the development. Wide interior streets should have diagonal or parallel parking and shaded sidewalks. Narrow interior streets have parallel parking. Interior streets should connect to adjacent commercial development at Los Arcos Crossing and the Papago Plaza Shopping Center.

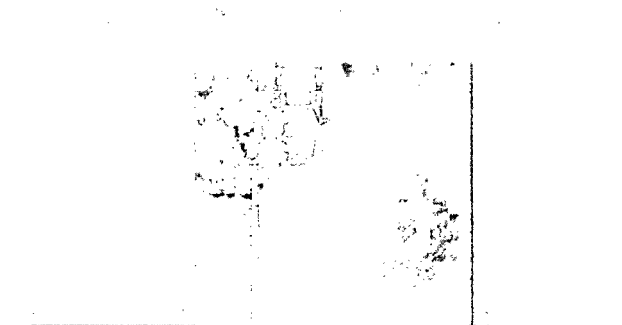
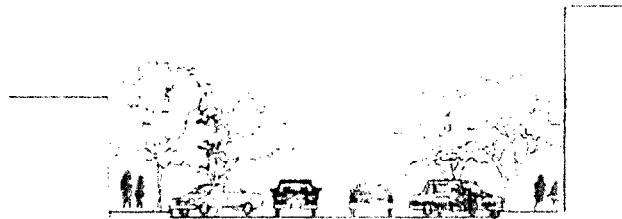
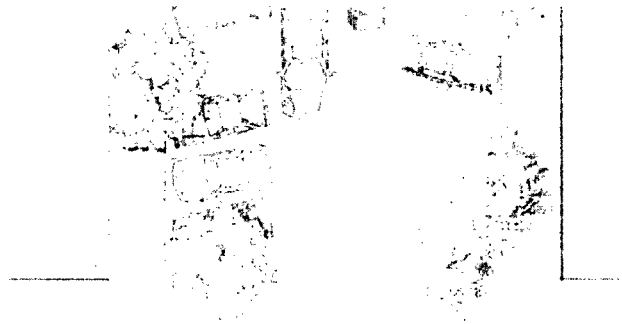
Neighborhood streets are secondary streets with a mix of uses but not dominated by retail. Servicing and driveways can be located on neighborhood streets. Neighborhood streets should have a double row of street trees and sidewalks on both sides of the street.

Paseos are narrow walks and lanes that provide access to the interior of the blocks. They often have a variety of smaller spaces, deflected views and short vistas. Paseos may be pedestrian-only or contain a narrow cartway for vehicles. Paseos typically extend from interior streets to interior courtyards, building entrances, or parking garages, if appropriate.

Paseos are self-shading spaces with narrow and tall proportions. Typically paseos have a width to height ratio between 1:1 to 1:3.



Arterials
Scottsdale and McDowell Road will become well landscaped boulevards with strong building edges.

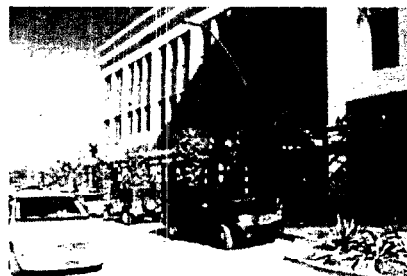


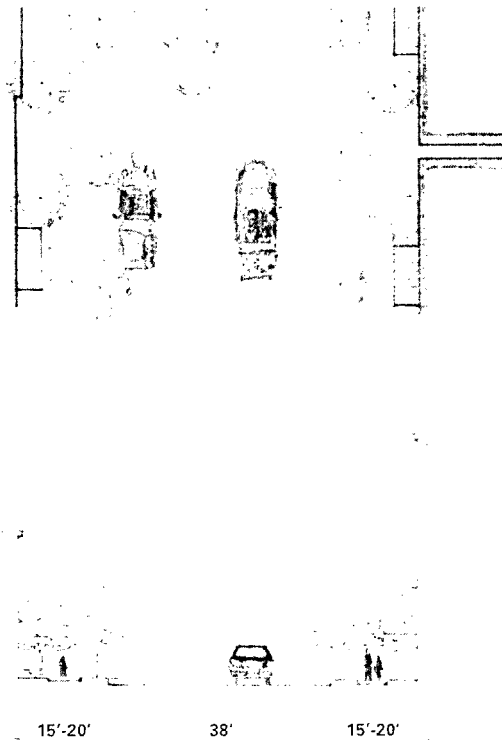
Interior Streets

31

Wide interior streets (top) with diagonal and parallel parking; narrow interior streets (bottom) with parallel parking.

Note: Photos and illustrations are designed to illustrate relationships and concepts and are not intended to establish architectural style.



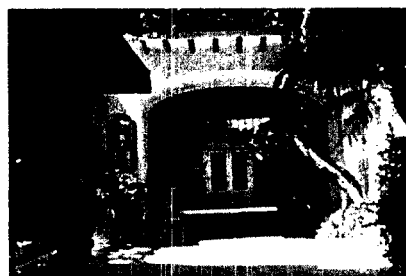
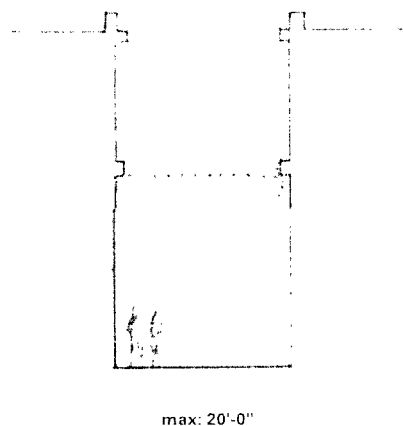


Neighborhood Streets

32

Neighborhood streets will have green edges and are designed to slow traffic.

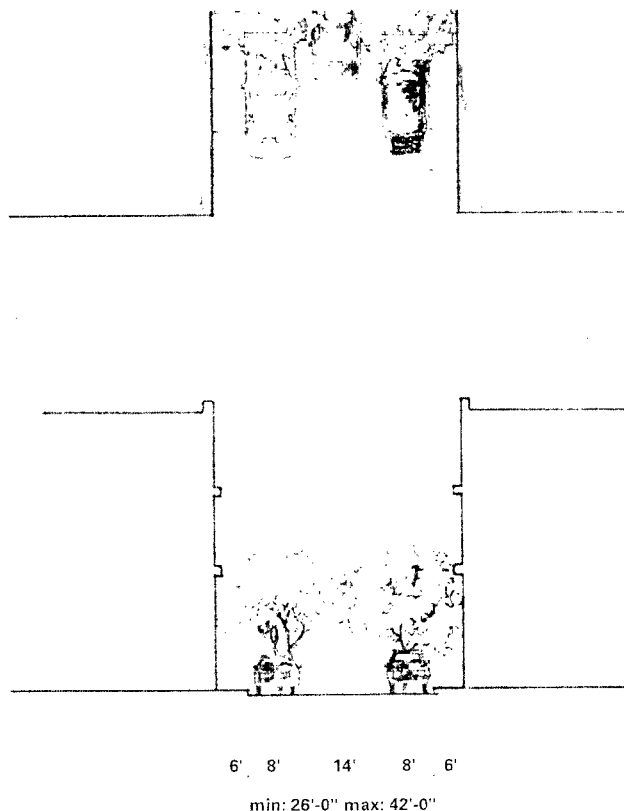
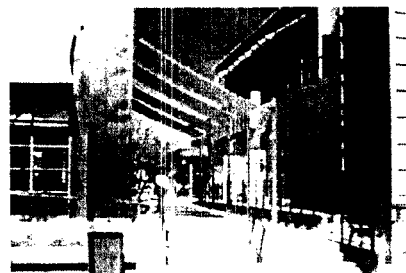
Note: ratio of height to width of all paseos should be between 1:1 and 1:3



Pedestrian Paseo

33

Paseos are narrow, self-shading passages between buildings connecting streets to internal courtyards and parking structures.



Auto Paseo

Narrow self-shading streets can provide access to service alleys, secondary entrances, internal courtyards, and parking structures.

Transit

Scottsdale Road from the Scottsdale Airport on the north to Chandler on the south has been identified as a regional transit corridor. Bus Rapid Transit has been identified for funding, however the long-term high-capacity transit technology is under development.

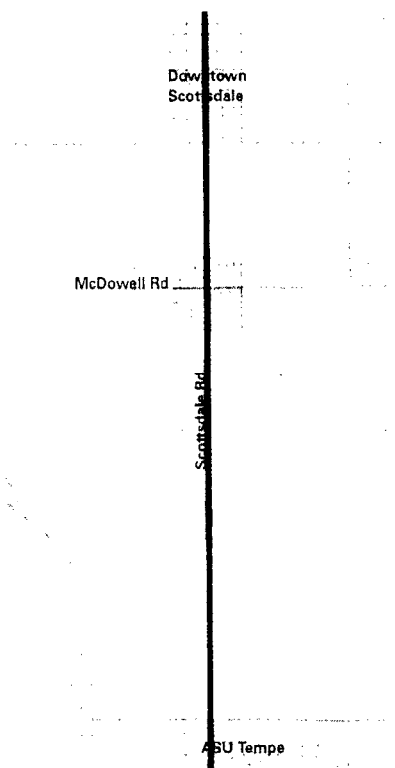
The development of the site will incorporate the provisions for a transit hub on Scottsdale Road. The funding for the transit hub is outside of the \$44.5 million designated by the City for infrastructure development on the ASU-Scottsdale Center site. The transit hub should be integrated into a public space and be accessible to the site and the surrounding developments and neighborhoods by pedestrians and bicycles. Commercial uses, such as restaurants and coffee shops, compatible with the transit hub, are encouraged.

Alternative Modes

In order to minimize the reliance on the automobile, the design of the site shall accommodate bicycles, pedestrians and transit. Sidewalks should line all streets and buildings. Paseos, courtyards, plazas, and patios should augment the sidewalks to create a pedestrian network that allows pedestrians to move freely throughout public spaces.

Bicycles should be accommodated with bicycle lanes and paths on selected streets. Bicycle paths and lanes should be connected to existing bicycle networks such as the Indian Bend Wash and the Canal System. Long- and short-term

bicycle storage, including bicycle racks should be provided at convenient locations (eg. close to entrances) for buildings and public spaces. Bicycle commuting is encouraged and bicycle storage facilities along with appropriate employee amenities should be provided.



Transit

The ASU-Scottsdale Center is located on a recognized and established transit corridor (Scottsdale Road) in between two major destinations.

Transportation Demand Management

"Transportation demand management," or TDM, refers to strategies and tools to utilize existing transportation resources more efficiently. Travel demand management can reduce traffic congestion, save or reduce parking construction costs, increase safety, provide more travel choices, reduce pollution and create a sustainable environment by reducing energy usage.

Common TDM strategies include improved transportation options; incentives to use modes other than single occupant travel, such as bicycling, transit and walking; parking and land use management; and policy and institutional reforms.

Improving transportation options includes adequate sidewalks and bike lanes along with employer based programs such as alternative work weeks, flex time, guaranteed ride home programs, ridesharing, and telecommuting, as well as facilities such as bicycle lockers, showers, shuttles, and expanded transit services.

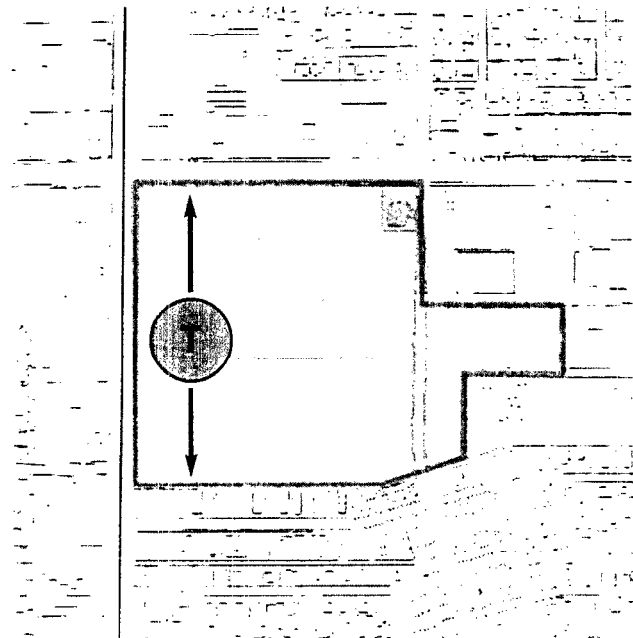
Incentive programs include pricing strategies and use of high occupancy vehicle lanes.

Parking and land use management strategies include bicycle parking close to building entrances, strategies to use and price parking more efficiently, and coordinated pathway and vehicle travel networks.

35

Transit

Development of the site should coordinate with a transit center on Scottsdale Road.



VI Parking Guidelines

Parking on-site will be provided on-street, in structures, under-ground, and in surface parking lots. Parking, on-street and structured, will be required for long, medium and short term use; for visitors, employees and residents. Upon build-out, the site will contain approximately 4,000 parking spaces to serve 1.2 million square feet of ASUF development. The overall parking resource should be managed to maximize its value to the community and to preserve the character of pedestrian spaces and the adjacent neighborhoods. 36

On-Street Parking

Interior streets to the site may contain parking on one or both sides of the street. On-street parking can be diagonal or parallel. On-street parking should be managed to encourage rapid turnover and convenient access to retail establishments.

Surface Lots

During the early phases of the project, and in accordance with the Lease, surface parking will be the primary parking method. As the project matures, surface parking lots should be used sparingly, located internal to developments, and not located on corners. Wherever parking abuts a sidewalk, low screening such as a hedge, decorative fence, or low wall 36 inches to 42 inches in height should be placed with appropriate pedestrian access to define the edge of the public and private property and screen the cars from view. Surface parking lots should include shade and clear pedestrian-through access.

Parking Decks (Structures)

The site should be developed with parking structures above and below the ground as appropriate and financially feasible. They should be distributed around the site to support phased development.

Parking decks shall not exceed maximum building height.

Parking decks can be attached to buildings, detached from buildings and accessible via an alley or paseo, or located on a street with active uses (i.e. retail, restaurant, or service retail). If located on a public street, the ground floor should contain active uses. If visible from the public street, the decks must be architecturally appealing and compatible with the surrounding buildings. Parking garages are subject to the same massing and materials as described for other buildings in the Architectural Guidelines Section.

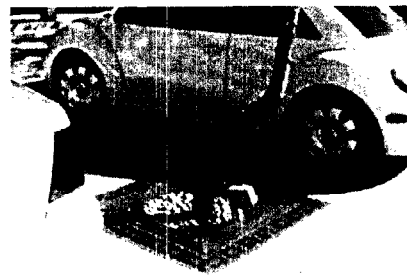
Pedestrian entrances to parking garages should be clear, well marked and visible from the public right-of way. Vehicular entrances to parking garages should be well marked but with limited visibility from public areas. Access to parking decks generally should not be located on Scottsdale Road or McDowell Road. Driveways to parking garages should be recessed to maximize the continuity of the sidewalk. Cars should be screened from view.

Parking Management

Effective management of parking spaces is achieved through incentives (employee permits, strategic placement of time-limit signage), directional signage, and enforcement. Time limits promote space turnover and go hand-in-hand with enforcement.

Shared Parking

Shared parking is encouraged. A mix of uses that require parking at different hours of the day, different days of the week, and different weeks of the year is encouraged. For example, office users can share the same parking spaces as evening entertainment or restaurant uses. In general the site's overall parking resource should be carefully managed to maximize its efficiency and the site's land uses.

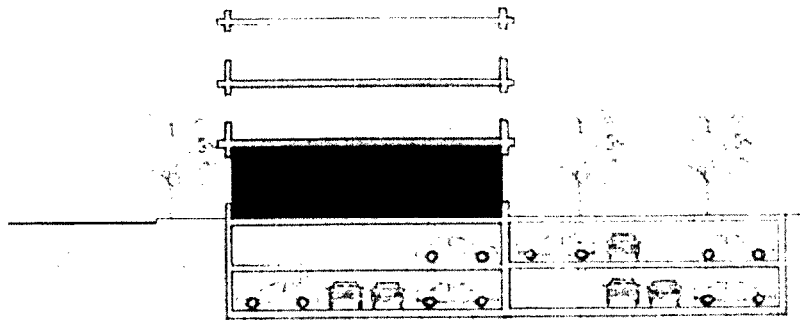


Surface Lots

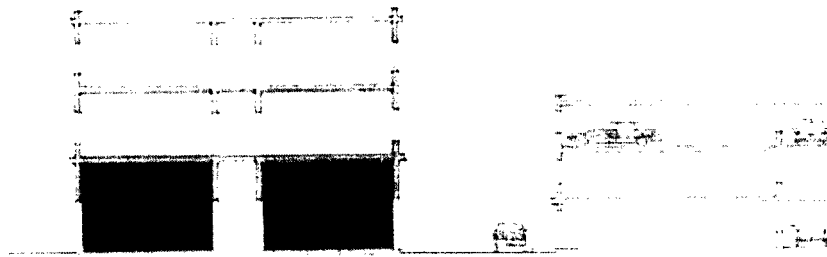
Permeable paving, shading, and textured surfaces will reduce the heat gain impact of surface parking.

*Parking beneath
buildings and public
spaces, with active uses
on the first floor*

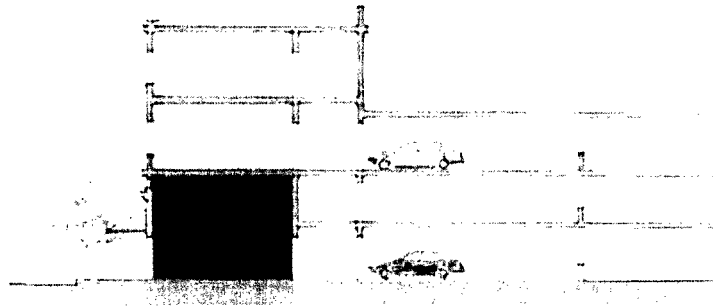
38



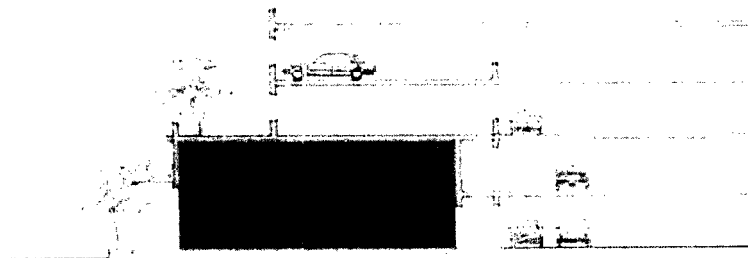
*Parking garages accessed
via rear alleys must be
screened from
residential areas.*

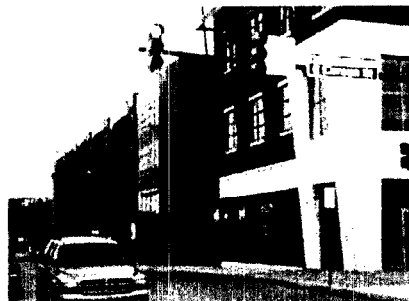


*Single loaded building
with attached parking
garages*



*Parking garage with
active use at grade to
screen the parking
structure*





Examples of Parking Garages

*If visible from the
street, the facade of the
parking garages should
be architecturally
treated to minimize the
visual impact.*

VII Open Space Guidelines

Create meaningful open space by designing common areas with a park-like quality.

40

Wise water use and landscape principles encourage landscaping by zones based on water use intensity. For example, oasis areas are appropriate in gathering places where people enjoy the outdoor environment.

Streets are part of the open space network. Street trees that provide shade for pedestrians and parked vehicles should be encouraged.

An interim landscape nursery on the undeveloped future phase development areas of the site is recommended to provide plant materials for the site as it develops.



Water Features

The incorporation of water features designed to use minimal amounts of water for maximum effect is encouraged. Simple dripping or brimming fountains are appropriate for small and larger plaza areas.

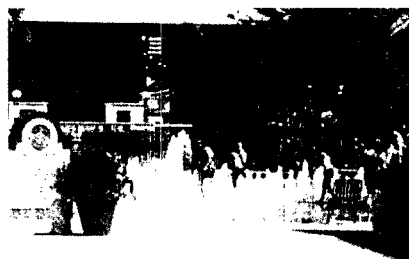
Consider using zero-detail fountains that can be used to wet plaza spaces during active hours and be turned off to conserve water during hours of low pedestrian use of open spaces.

Large flat bodies of water such as ponds are discouraged.

Public Outdoor Gathering Place

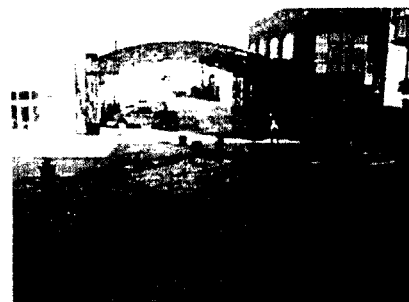
A public outdoor gathering place is an important element of the ASU-Scottsdale Center. In particular, the public place must be accessible and welcoming to the residents of the adjacent neighborhoods and be of sufficient size (1.0 to 1.5 acres) and design for outdoor performances and festivities, with public art, benches, trees and shelters for shade, water features, and appropriate lighting.

41



Water Features





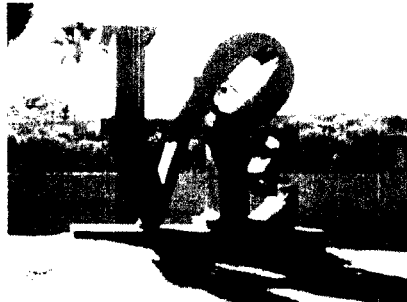
Public Art

The City of Scottsdale has a 1% provision for public art for public capital expenditures, such as parking decks, public buildings, and parks. In addition, Scottsdale has an arts tradition, including working artists, galleries, Thursday Night Art Walks, and many significant public art installations on both public and private property. The ASU-Scottsdale Center will continue that tradition with public art that is integral to the development, regionally contextual, and innovative.

Shade

Due to extreme summer heat, shading of pedestrian spaces along with misting systems and other cooling techniques are necessary for user comfort. Plazas, courtyards and sidewalks must contain spaces within them that are shaded in the summer months, but allows for sun penetration in the winter months. Use of canopies, building extensions, overhangs, arcades, and other shading devices are encouraged. Sensitive design assuring accessibility is imperative.

Public Art



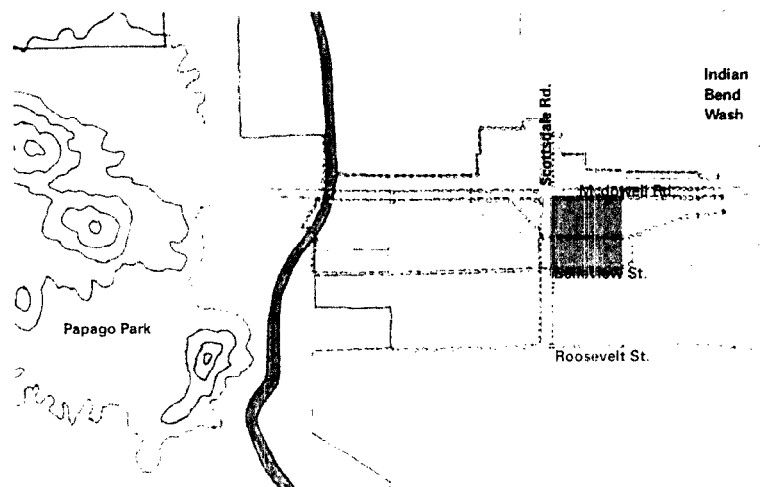
Shading Devices



Pedestrian and Bicycle Connections to Adjacent Neighborhoods and Open Space Network

44

A major effort will be expended to develop positive connections to the Indian Bend Wash to the east and to Papago Park and Crosscut Canal on the west, including enhancements to Roosevelt and Bellevue Streets and the addition of bike lanes on McDowell Road. The redevelopment of the Los Arcos Crossing site should seek to open a new path connection to the Indian Bend Wash. Within the ASU-Scottsdale Center the roads, sidewalks, and public plazas will be designed to connect to this expanded network.

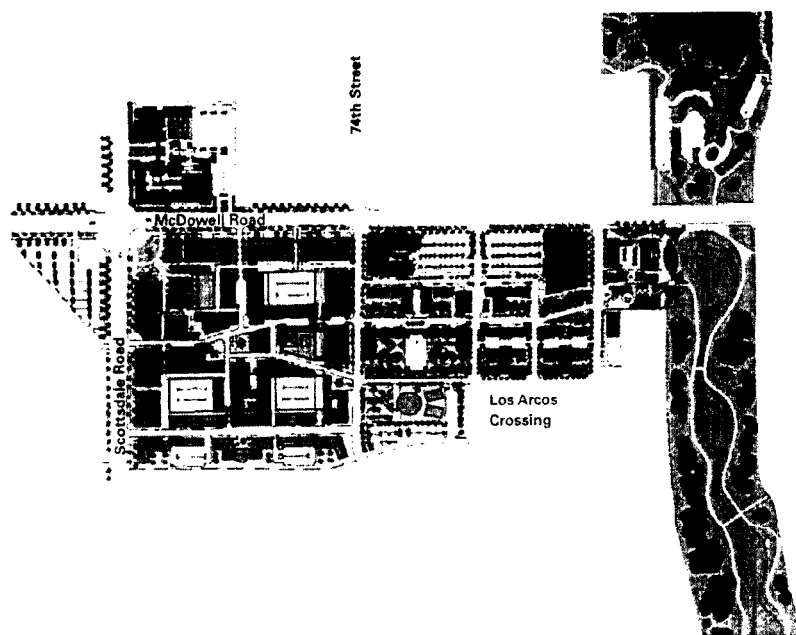


VIII Phasing

The goal of development phasing of the ASU-Scottsdale Center site is to have an early, significant impact. The first phases of development should contain mixed use buildings, supporting surface parking and a primary open space. Views into the first phase of development should be preserved from the adjacent streets such as Scottsdale Road and McDowell Road. Not less than 51% of Phase One shall be occupied by organizations or businesses whose work or activities involve technology, innovation, or creativity. The perimeter landscaping along Scottsdale and McDowell Roads should be completed in Phase I. 45

ix Illustrative Master Plan

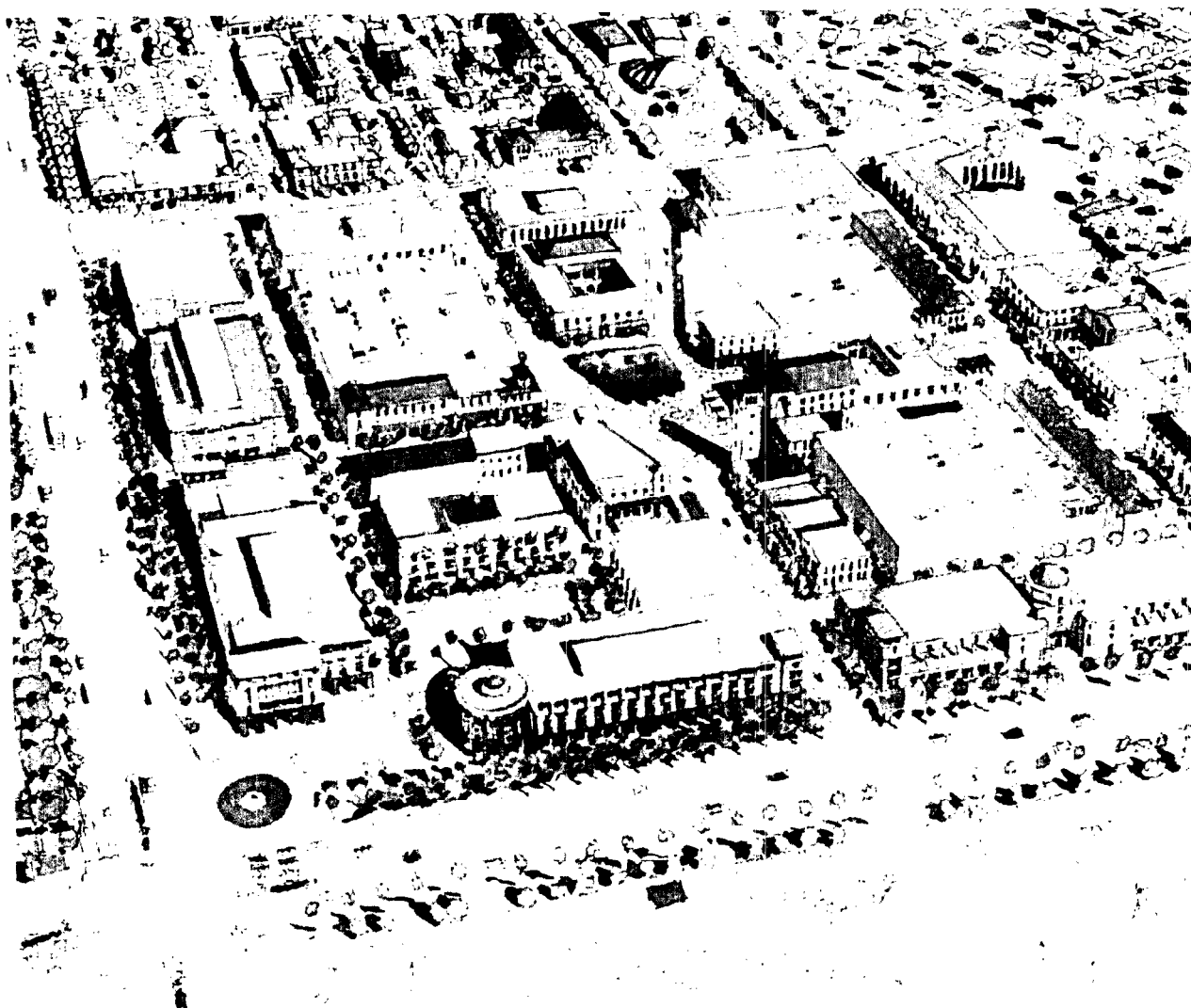
The design guidelines in this document establish the parts and pieces required to create an exemplary project for Scottsdale and the University. The design team employed the guidelines during the charrette the week of January 10, 2005 to create a *conceptual* plan that is one application of the guidelines for the ASU-Scottsdale Center. The Illustrative Master Plan and perspectives on the following pages document that illustrative plan. Through the development process and application of the Guiding Principles, ASUF will create a site plan for the ASU-Scottsdale Center. The design team selected by ASUF may create a site plan very different than the illustrative example here.



Illustrative Plan

47

*Illustrative Plan for the
ASU-Scottsdale Center
in the context of the
Scottsdale Road and
McDowell Road
corridors*



**Illustrative Aerial
View**

The perspective shows a concept of site development and area planning. The view looking east over the site shows a network of open spaces lined by landscaped streets and passage ways. Buildings are set close to the street to create an urban feel. Parking is hidden within the interior of the blocks. The features shown in this illustration may be incorporated into the plan ultimately approved by City Council.

Appendices

Strength/Weakness/Vision Summary

Strengths

- Central location in the Valley
- Near Sky Harbor Airport, 101/202 freeways, Tempe, ASU, Downtown Scottsdale, Downtown Phoenix
- Great outdoor amenities including Indian Bend Wash, Papago Park, Zoo, Botanical Gardens
- Los Arcos Mall property - large cleared site in a strategic location
- Older historic neighborhoods with affordable housing
- Ethnic and age diversity
- Safe with a low crime rate
- Sense of ownership and community in the neighborhoods
- Sonoran Desert location, vista views to buttes and mountains
- Scottsdale "name" and brand

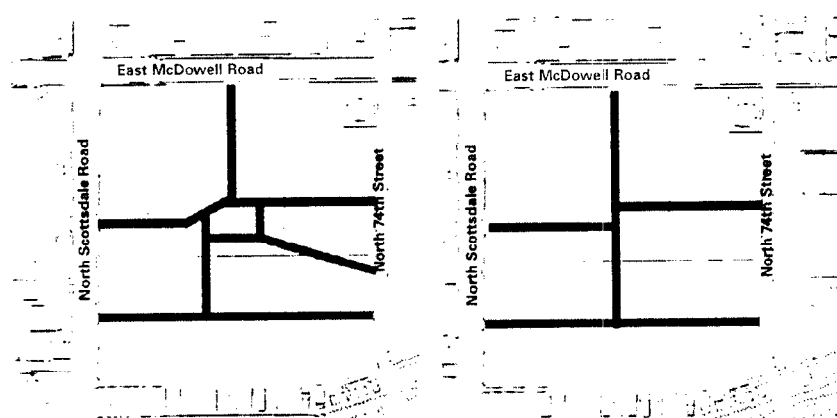
Weaknesses

- Negative 13 year history of Los Arcos Mall site as an eyesore and a black cloud
- Loss of neighborhood retail, vacant retail stores, and the growth of unsavory businesses such as topless bars, massage parlors, tattoo parlors, and check cashing outlets
- Parts of neighborhoods with low income renters, absentee landlords, and blighted housing stock
- Not much variety in housing style or size
- Perception that south Scottsdale is declining and has been the neglected step child of the City
- Poor public transportation
- Missing neighborhood amenities such as a quality grocery store, movies, and restaurants
- Not connected to Downtown Scottsdale and ASU
- Feels ragged, characterless, pedestrian unfriendly
- No outdoor gathering place, public square, or shaded seating areas

Vision

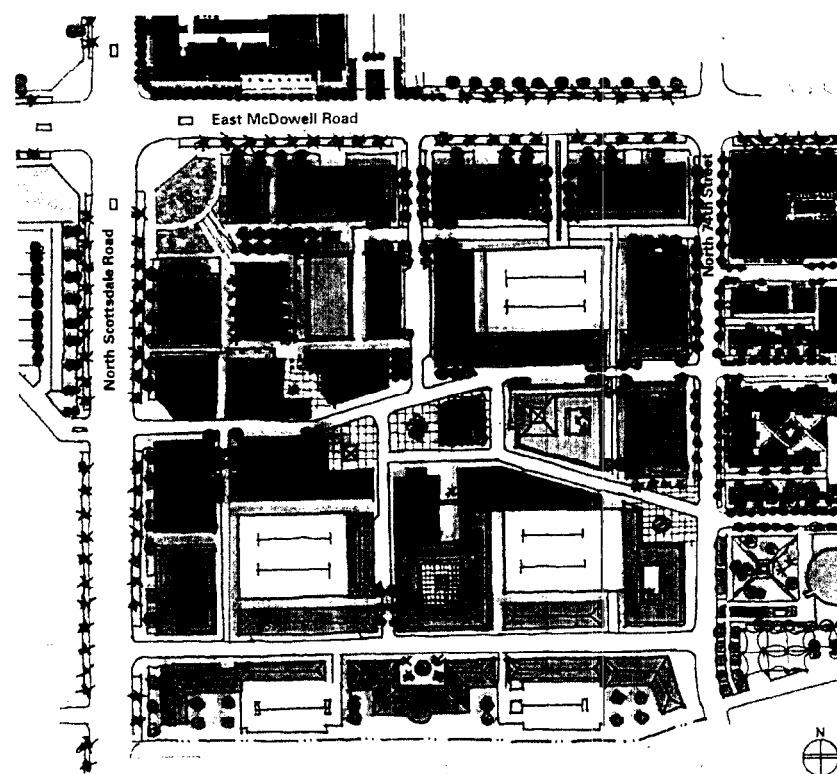
- High quality architecture, visually stimulating, but with a unique identity as a Scottsdale place
- Gathering place, village center, town square, pedestrian friendly with public art and recreation
- Vibrant urban place, a destination, with 24/7 vitality to attract the "creative class"
- Mixed use development with technology/research, offices, "Main Street" retail, entertainment, hotel, housing, and public open space
- Climate sensitive landscape design, contextual, native plants, sustainable, shade
- Higher density housing such as condos, lofts, townhouses, and live/work units
- Family friendly place, welcoming to all
- Strengthen existing neighborhoods with rehab housing and historic preservation programs
- Create transit connections to Downtown Scottsdale, ASU, General Dynamics, Scottsdale Health, and the future light rail station in Tempe
- Connect to the regional open space network including Indian Bend Wash, Papago Park, trails, and bike-ways

Examples of Possible Applications of the Guidelines



Alternative Frameworks

*(top)
The Site can be developed with a variety of different street and block configurations.*



Illustrative Plan

*(bottom)
The Plan illustrates one way the Development Guidelines may be used to develop a Master Plan.*



**Illustrative View to
the Site**

*The view into the site
shows an internal open
space surrounded by
technology buildings.*



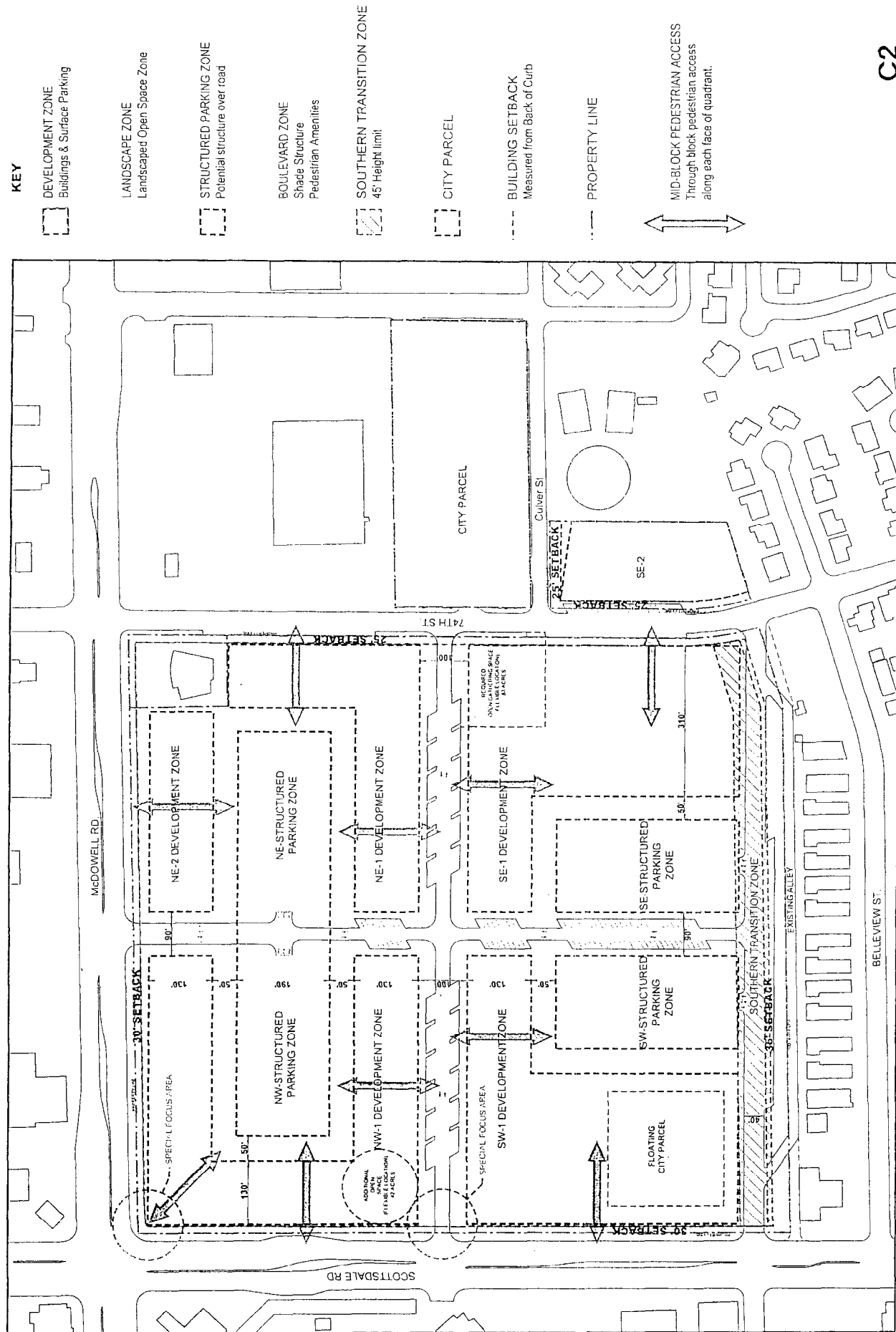
**Illustrative Internal
Street**

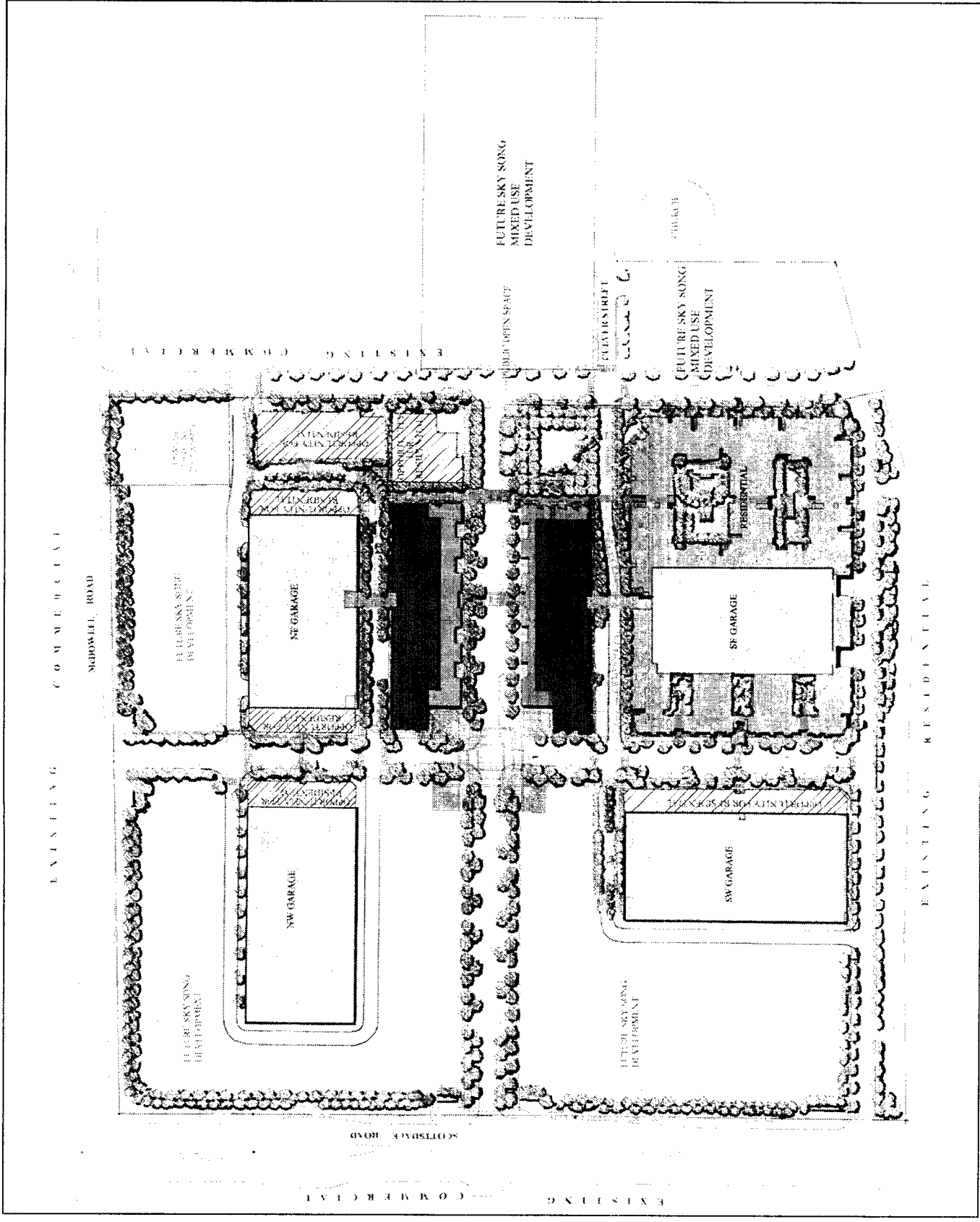
*Internal streets are
lined with on-street
parking, attracting
visitors and residents.*



**Illustrative
Passages**

*Intimate self-shading
spaces can create a fine
grained pedestrian
network.*







**ASU INNOVATION CENTER AD HOC WORKING GROUP
SCOTTSDALE STADIUM TEAM SHOP
7408 EAST OSBORN ROAD
SCOTTSDALE, ARIZONA 85251
TUESDAY, JUNE 13, 2006
5:30 PM**

SUMMARIZED MEETING MINUTES

PRESENT: Susan Coykendall
Andrea Michaels
Rita Saunders-Hawranek
James Cramer
Margaret Dunn (departed at 7:18 p.m.)
Steve Steinberg

ABSENT: George Adams
Paul Burns
Kurt Merschman
Marilyn Armstrong

STAFF: Ed Gawf
Kroy Ekblaw

PROJECT REPRESENTATIVES:
Sharon Harper
Don Couvillion
Gary Todd

1. Call To Order And Introductions

Mr. Gawf opened the meeting discussion at approximately 5:32 p.m., followed by introductions of staff, Ad Hoc Working Group Members and citizens.

2. Sky Song Phase III Proposal

Mr. Gawf proceeded with a PowerPoint presentation; highlights of which included an overview of the Ad-Hoc Citizen's Advisory Working Group Guiding Principles, an overview of the Illustrative Site Plan Studies and connectivity of the project to surrounding areas.

In response to questions by Ms. Coykendall, Mr. Gawf explained that the site plan was part of the Ad Hoc report and was generated by Urban Design Associates in Pittsburgh. Mr. Gawf recalled that the Ad Hoc report was not intended to be a prescription of exactly what should be done, but was intended to show that the development of a certain intensity could occur in this area and should extend east and include The Crossings and a connection with Indian Bend Wash.

Continuing, Mr. Gawf presented an overview of revitalization projects currently progressing in the southern part of the City, followed by an overview of SkySong's zoning approval process and the development framework plan.

Mr. Gawf highlighted components of the approved plans for Phase I and II of the project and presented slides depicting the approved site plan with temporary parking, noting that the plan is under construction. He presented sketches of Phase I & II, the plaza and perimeter landscaping, followed by a construction schedule. The first building will be complete in June of 2007; the second building by Fall of 2007.

Mr. Gawf explained that the developer approached the City earlier this year about considering the potential of adding residential to the site. The developer felt very confident with the leasing of the first two buildings. The developer also identified the opportunity to address comments received from various Boards and Commissions regarding parking issues and the request to screen all of the parking on the site. The developer recognized that the construction of the parking structure could occur much sooner with the addition of residential on the site.

Mr. Gawf presented slides depicting the Applicant's Phase III request. The developer is specifically: 1) requesting that City Council modify the lease to allow for residential on the site, 2) asking to construct 325 residential units; and 3) asking to construct a 900 to 1,000 car parking structure. Half of the parked cars will be for the office use and half will be for residential use.

Addressing questions presented to the City during the past couple of weeks, Mr. Gawf explained that the lease agreement between ASU Foundation and the City of Scottsdale, does prohibit residential use. The approval to add residential to the project must be made by the City Council.

Mr. Gawf also noted that the current zoning of PCD specifically allows residential uses. The residential use does not replace the research/office/retail use. The lease agreement requires 1.2 million square feet of office/retail. Of that 1.2 million square feet, 135,000 square will be retail and the rest will be office/ research/innovation use. Mr. Gawf noted that discussions with the developer stress that the emphasis of the project is always on the innovation and technology center. Any residential is predicated upon the construction of office and retail. The developer is required to build the first two buildings. Any residential added after completion of the first two buildings is based upon one residential unit for every 1,000 square feet of office/retail that is constructed thereafter.

Addressing the question related to the residential component being used for ASU student housing, Mr. Gawf explained that even if the leases change, the provision prohibiting student housing, dormitories, and fraternities is clearly stated.

Addressing the question of whether the additional residential in the area will over-burden the area infrastructure, Mr. Gawf noted that an independent traffic consultant firm has been hired to conduct a study of the traffic impacts last fall. The recommendations made by the independent firm were incorporated into the plan. The consultant firm has been asked to update the study with the new proposal. Mr. Gawf noted that an updated infrastructure study will be complete before the proposal goes to City Council. Mr. Gawf further stated that nothing in the infrastructure should be overtaxed; however, anything that is solely needed because of the residential should be paid for by the developer.

In closing his portion of the presentation, Mr. Gawf cited that the objective of the meeting is to obtain comments from the Ad Hoc Working Group so staff has the benefit of their thoughts and can use them in the staff analysis of the project. Comments will also be forwarded to City Council.

Ms. Sharon Harper addressed the meeting. Highlights of her PowerPoint presentation included the Vision for SkySong and marketing for the Center which currently includes eFunds, Inc., Wildfire Broadband and ASU units/programs related to technology innovation and entrepreneurship. Lease negotiations continue.

Ms. Harper addressed Phase III of the project. She noted the significance of building a permanent parking structure with the residential component, in lieu of the temporary parking structure that would be paid for by the City in the current project plan and eventually demolished and replaced with a permanent parking structure pursuant to the current plan.

Mr. Don Couvillion highlighted the ASU programs which will have a presence at SkySong Innovation Center which include entrepreneurial enterprise programs, digital learning research, applied engineering research, arts, media, engineering and industrial design collaboration.

Mr. Couvillion presented a graph depicting the current proposed development schedule. He presented the question: Why now for Phase III and answered that the project has been successful and building of the parking garage sooner than originally planned accomplishes many of the long-term goals. The residential component of the project makes the project more viable and will save money, also resulting in repayment of the City's dollars sooner than originally planned. Fifty percent of the net revenues of the residential project will go to the City to help pay the \$81.4 million.

Mr. Couvillion reiterated several points previously stated by Mr. Gawf and Ms. Harper, and cited endorsement of residential use by various Scottsdale Boards and Commissions. The requested lease amendments will accelerate construction of the first parking structure to match the occupancy of Phase II in the commercial building.

Mr. Couvillion noted that the City is not being asked for any additional financial commitment. The developer will pay for the residential building and the parking associated with the residential building. The residential will be marketed as market rate housing for the general public and the developer is willing to fully commit to the prohibition of dormitories, fraternities or sorority houses. Student housing is not an option.

Summarizing key points, Mr. Couvillion noted that 27 percent of the space is underway versus the target of 12 and 1/2 percent. The investment will represent \$55 million dollars in private money going into the deal in just Phase I and II. An additional \$32 million in private investment will fund the residential use. Mr. Couvillion committed that office and research will always be the primary activities at SkySong.

Mr. Gary Todd presented the proposed residential concept of the project via a PowerPoint presentation. He highlighted the characteristics of a successful viable project, showed an aerial highlighting "walk-ability", addressed the framework plan and noted common amenities. He presented drawings of the proposed courtyards, views of the project from each of the four sides, and various sketches from each of the street views as well as the results of color studies. He also presented plans of each proposed apartment unit and various elevations from each different angle.

The meeting recessed at 7:06 p.m. and reconvened at 7:14 p.m.

3. Ad Hoc Discussion

In response to a question regarding storage space in the apartment, Mr. Todd identified outdoor storage space on each patio and closet storage space under the stairs in the two story lofts.

Mr. Gawf opened the floor to comments by Working Group Members.

Ms. Dunn noted that she works in the subject area and has developed relationships with many of the neighbors. She cited the importance of looking at how this project affects the neighborhoods and the people surrounding this development and stressed that sensitivity to the neighborhoods is of the utmost importance. Ms. Dunn opined that the residential component is an appropriate use at SkySong; however, how it's done needs to be very sensitive to the environment that it is in. She further opined that the project needs to be well-done and cutting edge, but respective of the historic neighborhood and area. Ms. Dunn believes that the ASU Technology Center will be something far different than a campus and the residential component will therefore not be in danger of becoming dormitory style housing.

Mr. Gawf opened the floor to citizen comments.

Mr. George Knowlton expressed concerns regarding the projected total of 835 apartments as opposed to 325. He expressed concerns regarding market rates, which he identified as 20 to 30 percent below the apartments in Tempe. Mr. Knowlton quoted financial figures and requested that a financial situation be created in the lease where the City receives money on a constant basis and that the City receives a substantial cut in the event that the units are sold. Mr. Knowlton cited concerns regarding the mention of a sales office, the 24/7 concept, financing, reducing vehicular traffic by means of light rail, retail component service and density issues, and parking.

Ms. Darlene Peterson expressed displeasure with the process and questioned how the Ad Hoc Working Group could be asked to vote on this matter at the current meeting. She cited concerns regarding the unaddressed parking structure denoted on Phase I of the project as well as concerns of student occupancy in the residential units. She opined

that residential should not be permitted until the Phase I and II buildings are full. Ms. Peterson also cited that residential was not expected to be a part of the project.

Mr. Gawf clarified that the Ad Hoc Working Group is not being asked to vote. The Ad Hoc's primary purpose is discussion and consensus.

Ms. Barbara Hawthorn expressed concern regarding parking in light of the potential 800 units. She expressed concern over the abundance of housing at the site in conjunction with the planned hotel and opined that 325 units should be the maximum allowed on the site. She questioned whether the Ad Hoc Working Group has been presented with the project ideas and the City's sincerity in forming the Ad Hoc Working Group.

Mr. Tim White expressed excitement and spoke in favor of the project on behalf of the younger community.

Mr. Mike Merrill representing Citizen's for Responsible Redevelopment, expressed support for the technology portion of the project and opposition to the residential component. He is strongly opposed to the proposed 24/7 activities. He addressed various concerns related to parking.

Mr. Cary Ley read from several documents in support of the residential mixed-use component of the project.

Ms. Patty Badenoch questioned why the LEED standard is set at the lowest point. She asked if the residential component will encompass the entire workforce population or will some of the housing needs spill over into the existing neighborhoods. Thirdly, she asked if the transit center is a prelude to light rail.

Ms. Lisa Haskell noted various criminal activities currently occurring in her neighborhood and opined that a well integrated, high end apartment community would be an improved addition to the community.

Mr. John Washington noted that the proposal reflects a major change to the project and suggested that time be invested in looking at the project in accurate context before moving forward. He expressed concerns regarding the current market conditions and the context of additional housing in the area, as well as performing an adequate traffic study.

Mr. Sam West posed questions regarding the effects to the original lease of adding the residential component and requested clarification of the term "net income."

Mr. Jon Anderson cited concerns relative to the lack of investment in the community from residents in a rental community. He suggested that a management company be hired to manage the property, ensure that the quality is kept up and be prohibited from selling the units.

In response to inquiry by Mr. Knowlton regarding the author of the final report, Mr. Gawf explained that a draft was done by UDA, however the document was reviewed and extensively edited by the Ad Hoc Working Group and is the official document of the Working Group.

In response to questions by Ms. Coykendall, Mr. Gawf acknowledged that there needs to be a financial benefit to the City. Ms. Coykendall suggested increasing the \$81.4 million to pay off the additional costs incurred. She noted that the financing costs were not recaptured in the lease agreement as currently written.

Responding to additional questions from Ms. Coykendall, Mr. Todd cited that LEED does not have a certification for residential.

Ms. Coykendall posed the following additional questions:

Why do you want to take the small to mid-size investors out of the picture?

What about retail on the first floor -- how many stories?

Can we have limits in the lease agreement so that there is a restriction on the number of units to be developed on the site overall?

Where does the square footage go that was located on that location? Where does it end up? Does it end up as additional square footage in height someplace else?

Mr. Couvillion explained that if the residential is added to that quadrant and 1.2 million square feet is still done at the 60 foot height limits, open space on the site is still well in excess of the 20 percent that is called for by the Zoning Code. All setbacks and step-backs are maintained.

And why are we doing apartments instead of townhouses and condos as laid out on page 10 of the Guiding Principles?

Mr. Steven Steinberg acknowledged that a residential component has been a part of the project from the beginning. He opined that the residential component will soften the parking and will give the site the 24/7 vitality needed to attract high-tech businesses that need alternative housing for their staff. The improvement will also attract high quality retail. The live/work/play concept is very popular. He opined that commercial will increase traffic more than residential. Mr. Steinberg pointed out that the land is ground lease land as opposed to fee simple. He opined that the residential component is appropriate, if done properly.

Ms. Rita Saunders-Hawranek recalled Working Group discussions identifying various potential residential locations surrounding the site, concluding that residential was not part of the site itself. She expressed concern that the residential component was not disclosed to the Ad Hoc Working Group as part of the original plan for the project. She expressed concerns regarding the lack of confirmed tenants to date.

Ms. Saunders-Hawranek posed the following questions:

With regard to residential, who is looking at traffic? Where is Mary O'Connor in all of this? Where is the traffic study?

Where's the EIR/EIS? If we can build to LEED Certification at a Senior Citizen's Center, why can't we build apartments to LEED certification?

How much profit is the City going to get out of the amended deal? Is it gross profit? Is it net profit? And what constitutes net profit when you're dealing with a foundation that is a non-for-profit?

What kind of benefit is this neighborhood going to get out of 24/7?
expressed a desire to see the project reevaluated/reconsidered

Ms. Saunders-Hawrennek expressed displeasure with the overall process surrounding current events related to the project as well as rushing through the project into finality before further discussion of the matter with area neighbors. She believes the neighbors are entitled to be heard and have input. In closing, she stressed that straight-talking and honesty between developers and residents is how a community grows in harmony.

In response, Mr. Gawf explained that Mary O'Connor was unable to attend the meeting due to illness. Ms. O'Connor is in charge of completing the traffic study. Parsons Brinkerhoff has been hired to update the original traffic study for the project. The developer is working very closely with Anthony Floyd to make the project a green building. PCD zoning does allow residential. The lease with ASUF prohibits residential unless City Council opts to change the lease, regardless of the zoning.

Mr. Jim Kramer recalled guiding principle discussions, wherein Working Group Members chose not to restrict residential. He also recalled that the framework development document was produced and finalized before the developer was selected. He noted that one area that the Ad Hoc Working Group was very focused on related to the appearance of the site when the first buildings occurred. He opined that residential is very appropriate and complimentary to the success of the project going forward.

Ms. Andrea Michaels recalled prior Ad Hoc Committee meeting discussions, noting that the consensus resonated with the unanimous request of including residential as part of the project; a live/work environment. Additional topics of discussion included "family friendly and accessible environment", which she noted were not a part of the document because residential was a part of the lease agreement. In closing, she expressed excitement regarding the revitalization efforts occurring in the area.

Ms. Nancy Cantor cited concerns addressed at the Housing Board meeting and the Board's desire for a SkySong presentation. Ms. Cantor addressed the revitalization efforts in south Scottsdale and expressed concerns related to the lack of citizen input solicited for the project. She is opposed to the design of the apartment complex due to the limited open spaces and stressed the need for quality workforce housing in Scottsdale.

Mr. Gawf acknowledged that outreach to the neighborhoods continues to be ongoing.

4. **Wrap Up**

5. **Next Steps**

ADJOURNMENT

With no further business to discuss, the meeting adjourned at 8:37 p.m.

AD HOC WORKING GROUP
June 13, 2006
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Respectfully submitted,
A/V Tronics, Inc.

COMMISSIONER SCHWARTZ MOVED TO APPROVE CASE 5-UP-2006 BECAUSE IT MEETS THE SPECIAL USE PERMIT REQUIREMENTS. THE APPLICANT MAY BE OPEN FOR BRUNCH ON SUNDAY AT 10 A.M. SECONDED BY COMMISSIONER HESS, THE MOTION CARRIED UNANIMOUSLY BY A VOTE OF SEVEN (7) TO ZERO (0).

NON-ACTION ITEM

BEGIN VERBATIM PORTION OF MINUTES:

- 12. Revitalization - McDowell Road Corridor
- 13. Discussion on New Residential in south Scottsdale

CHAIRMAN STEINBERG: Okay. We've got two items that we have left and they are non-action items, but we are going to let the public speak because it is, I think, critical in moving this forward. One is the revitalization of the McDowell Road Corridor and the second is discussion of new residential in south Scottsdale that was put forth by Commissioner Schwartz. And I am going to have him introduce that.

COMMISSIONER SCHWARTZ: We're going to combine these two things. Thanks for coming out and everybody else here.

I don't want to be redundant, but I wanted to not just let you know, but everybody else know, why I initiated this conversation. Over the course of the last, I don't know, it's been ten years we've been trying to revitalize Los Arcos and we finally got ASU to put forth a phenomenal effort and it is quite the outreach program with the community. We had that come in front of us and it was successfully approved. Most recently we have heard a lot of dialogue in the community and the newspaper about residential at SkySong and I've been very disappointed by the tone of the articles and the debate about residential at Los Arcos.

If somebody could come forward, I'd like to put this up on the Elmo about some comments that I made on the June 29, 2005 hearing. Could somebody come put this on the Elmo for me? And could we blow it up so the first paragraph can be read.

So I queried about this negative response to residential in the area. And Mr. Meral expressed opposition, not necessarily to general residential but specifically directed to dormitory housing. It was made very clear that night there was no dormitory housing. In fact, it was a consensus, I believe, among the Commission that we emphatically wanted residential at SkySong. And on the Planning Commission report that night, it said key items for consideration: "proposal will create a knowledge-based research and development center that will allow commercial research, residential, and support retail uses." There is also a chart here of what would be allowed within the SkySong project, and you can see that chart. There are the key considerations. So the zoning allows for that, for the residential component. Here is multi-family residential.

So my purpose was since we were -- this Commission was so much in favor of residential there that, because it has become such a debate, I would propose that we send a letter to the City Council telling them that we wanted residential housing there,

non dormitory, and express our confidence in residential at the site. Frankly, I think the project is being hijacked right now. I think it is being hijacked by a few people that -- or by debate about what people thought they may have heard, but they really didn't hear. What they heard from this Commission was we want a residential there. And if there should be any debate it should be the Design Review Board, nowhere else. If there is an issue about design or what design of the residential is going to look like, go to Design Review Board and speak your case. But residential was planned in this area, we asked for it, and there should be no question about it at all. We need new residential development in south Scottsdale, period. There are no other places available for it, it's right here. And the success of the ASU Technology site will be residential.

So that's why I brought it here, and I propose that we send a letter reiterating what we approved that day, what we asked for. You weren't here, Kevin, you were on the Design Review Board. But we all talked about residential and wanted residential.

CHAIRMAN STEINBERG: Thank you, Commissioner Schwartz. Your presentation, Mr. Gawf.

MR. GAWF: Well, I think that was the presentation right there.

CHAIRMAN STEINBERG: Thank you, Mr. Gawf.

MR. GAWF: Actually, I had originally scheduled three or four weeks ago to come to you in the afternoon study session and give you an update on what's happening in the Scottsdale/McDowell corridor, because I've done this two or three times over the last year, year-and-a-half, and things are happening in that area. So let me do that. I've also added a few slides if you like about the specifics on SkySong once I heard that these two items were being combined, if you would like me to go through that. Given the hour I will make this brief.

This just shows the corridor of both Scottsdale Road and McDowell, but also shows the 42 acres of Los Arcos. And one of the points that you as the Planning Commission have made to me many times is this needs to be broader than just the 42 acres. Our goal is to revitalize the southern part of the city and those two specific corridors. And a lot of things have happened in the last year, and we will hand out this graphic.

But this is, not everything, but this really starts to show what's happening in this area. And I think good things are happening. And if you go from the right side with the Bill Heard Chevrolet improvement on Pima Road, go down McDowell Road and you see other private investments, private improvements occurring with Lowe's; as I said last night K-Mart never looked so good as it does today. It's under construction, supposed to be done by the end of this year or the beginning of next year.

Miller Townhomes, the little vacant property on Miller just south of Duke's Sports Bar in that little shopette is being redeveloped into condominiums -- I think a very nice project. Los Arcos Crossings I will talk about a little more in a second. McDowell Village Senior Center and apartments are almost finished; the Senior Center should be occupied by July or August of this year. So a lot of changes are occurring with new development along the area.

There's also reinvestment in the area, and I think the Motor Mile is a good example of that. The Motor Mile -- I can't remember the exact numbers, but I think in the first year with the common marketing, the sales tax increase was \$600,000 or \$700,000 over the previous year. And dealerships instead of talking about leaving that area -- and remember, we talked about this last time, that the area generates \$7 or 8 million of sales tax per year. So this is a very significant revenue source for the community and this part of the community. And unlike a year or two ago when dealerships were talking about where they wanted to move, they are now reinvesting in the area.

Another sort of reinvestment is Coronado High School. And I think the quality of schools in this area really determine the quality of the neighborhood, both the residential neighborhood, which then influences the McDowell Scottsdale corridor.

The red lines are indicating the major auto circulation paths with Scottsdale Road and McDowell. But on Scottsdale Road you will also see two other notations: one is Scottsdale Road streetscape improvements. As you may know we have about a million dollars a mile to improve the appearance of Scottsdale Road as a result of the 2000 Bond Issue. The planning for that is underway and you should be probably seeing something -- or the initial drawings, conceptual drawings should be available later this summer. So we are progressing on that. We'll be having neighborhood meetings; we will be meeting with property owners along Scottsdale Road, et cetera.

The other one is the notation at the top of the map that is the Scottsdale Road Commercial Corridor Study. One of the things that we talked about a year ago was the commercial zoning on McDowell and Scottsdale road being in many cases out of date. It was designed at a time when there was still a regional shopping center there, and this was the shopping center for a great portion of Phoenix/Scottsdale area. That has changed and one of the things we have is probably too much commercial zoning. So what is the change in land use, what should we do, what can we do? And so the Planning Department will be undertaking a study starting this fall looking at the corridor and what we can do and should do with the zoning code, with the other city codes that we have, exploring the possibility of an overlay zone along this -- at least the Scottsdale Road corridor, if not also the McDowell corridor.

The green lines indicate pedestrian bicycle circulation, because one of the things that was indicated as we worked on Los Arcos or ASU Scottsdale or now SkySong is that it shouldn't be a castle or an island separated from the rest of the community. It should be part of the community; and so this is showing different either existing paths or new paths that we are looking at connecting this site with the southern part of the City. And primarily SkySong with Indian Bend Wash and more importantly as far as the new connection with Papago Park to the west. So that was sort of the corridor.

One of the things that we also looked at was this area between Miller, Scottsdale Road, south of McDowell to Culver. And looking at that, not just the 42 acres that's SkySong, but the older shopping center that's to the east: Can the two be combined in some way to really create a major new opportunity at that location?

At the present time -- and if, Jason, you could indicate the area that I am going to describe I'd appreciate it, it's the area between 74th/Miller/McDowell to Culver, that square if you will. It's the Los Arcos Crossings Shopping Center. There are three or four or five different ownerships with the one on the southwest corner being the 3.5 acre

City parcel. There is one individual who now has an option on all of that property with the exception of two out parcels, and the City parcel obviously, but really controlling the area from 74th to Miller. We are working with him; you will probably see something later this fall. They are looking at retaining Basha's, upgrading it to be a Hayden and Indian School quality of Basha's, also putting some other neighborhood serving retail there and then putting residential for a mixed use project at that location. One of the things that is probably a good indicator of success, land values in the area have gone up, which then makes it more difficult to do assemblage and new products and things like this. But this is one that I think has a very exciting opportunity.

So very quickly that's a brief overview of the revitalization that is happening in the area.

As I said because of combining this item with Commissioner Schwartz's item, I have also added a few slides on SkySong, or what's been done with the ASU Scottsdale site.

This plan shows what you approved as part of the zoning last year. You did approve the zoning that included all of the things that are listed on the right hand side of the graphic, including residential, LEED-Certified for all the retail office buildings, first floor retail, we are doing a transit center plaza -- the various things that you see there.

One of the things that has been confusing as I talk to people is that there is a difference between the lease, which is a contract between the City of Scottsdale and ASU Foundation, and the zoning of the property which is the City of Scottsdale acting in its regulatory role. The lease we signed with ASU Scottsdale prohibits residential use on the 37 acres that they are leasing from us. And there were two major reasons for that: One is we didn't want dormitory student housing for fraternities/sororities, we didn't want this to become a residential extension of ASU. The second one was that we also want this to be -- and we are spending a lot of money to make this happen -- as a research and innovation center, not a multiple family or residential project. So we wanted to establish it so that the City Council had control when and if the land was ever used for residential purposes. So again that was the contract, the lease that we entered into with the Foundation, knowing that sometime in the future there was always the opportunity to change that lease, but that gave the control with the City Council.

Last year we went through the zoning process, and as we looked at the 42-acres based on the ad hoc report, good city planning, direction from the Planning Commission and other groups, we included residential as an allowed use. So there is no rezoning required, there is no that kind of discretionary action required if residential is desired to be placed on the SkySong property.

After the rezoning was approved last summer they then -- the developers, Higgins Plaza, came back with approval for Phase I and Phase II and this graphic shows those first two buildings. The total was around 315,000 -- 320,000 square feet of office and retail, surface parking on both sides. And again, this is predicated upon the lease. You may recall that the lease indicated that the City of Scottsdale would pay for infrastructure improvements up to \$44.5 million.

However, the installing or constructing or paying for parking structures would not occur until one of two things happened, July of '07 or 450,000 square feet was built on the site; because we really wanted to get the project going before we spent the money for a parking structure.

So this is what was approved last December. A couple of months ago or so, the Applicant came to us and said, "Given the cost of building a surface parking lot; it doesn't make a lot of sense to build it. We are so confident that things are going to proceed quickly that we think in two or three years the parking lot will be ripped up and a parking structure will have to be built, so why don't we work together. Let us build some residential around the parking structure. We will front-end the parking structure and you will pay us in accordance with the lease agreement."

So that's one of the reasons we got into looking at the residential use of the property. I think the other is that the office and retail buildings under the lease are only required to build one building at this time; that is Phase I building, or the northern building. Because of the demand, they are looking at constructing both buildings at this time. So given what is happening there, the desire to have a mixed use project, they have approached us to incorporate residential into the project itself.

COMMISSIONER SCHWARTZ: Excuse me for one second, Mr. Gawf. I'm having a little memory lapse here maybe, because I don't necessarily remember a call, maybe Mr. Berry can tell us, about why the residential use was not put in the lease. I think the lease was written long before the plans were done and that is why for some reason it was not inserted. But we were assured here and I -- I tell you what, there are some things I do remember and there are some things I choose to forget, but one of the things I do remember is our assurance about residential on this site. And not that it was a card that the City was going to hold over SkySong, okay? We all agreed that the viability of this site was going to be to bring housing for people that could afford to come and work at this innovative center. And frankly it's not a right card to hold, it's not a right way to proceed, okay? We need to move forward with residential and not hold this above anybody.

MR. GAWF: And, if I could finish, I think the story will wrap up here. But let me just in response say, first, I know at least the thought process on behalf of the staff as we negotiated the lease. And it was, as I just indicated, that there was a concern that it become student housing, there was a concern that it would become just multiple family housing and not an innovation and research center. We wanted to make sure that that focus remained. Secondly, as we rezoned the property, we knew there probably would be residential on the 42 acres because we still retained five of the 42 acres; the City did. And one of the things we were looking at was residential. Third, the Ad Hoc Committee - and I know after the Ad Hoc Committee when the zoning came here, the Planning Commission and then the DRB, Development Review Board, and I think the City Council all also talked about residential on the site. So I'm not implying that there wasn't discussion of residential, I'm saying there's a sequence to it. But for me the real question is -- and this just happens to show what they are requesting: to modify the lease to allow residential, to construct 325 residential units at this point in time. Under the zoning it could be as much as 800, but they would have to come back each time. And third, to do a parking structure that would be used for office and residential.

As I was talking to the Ad Hoc Committee last night I posed three questions that I think are the right questions. And going back and trying to track history is always difficult, because we remember different things. But I think the questions are: Is residential appropriate for SkySong? And at various times I think people have said, yes, it is appropriate for SkySong. Secondly, is the proposal as represented by the developer

complementary to the primary use, because this is still a research and innovation center? And then third, is again what we are looking at, is the buildings as being proposed, is that cutting-edge enough, is that attractive enough to be a complement to the SkySong project? So I think the question we've been asking ourselves and I think eventually the Council will ask is: One is residential appropriate on the 37 acres? And again the Ad Hoc Committee generally said it was. Two, is the proposal as represented by the developer, is that complementary to the research technology use? And third, is the quality of the residential project consistent with the quality expected at SkySong?

COMMISSIONER SCHWARTZ: Excuse me, Mr. Gawf. What are the answers to the questions?

MR. GAWF: Well, I think --

COMMISSIONER SCHWARTZ: I'm asking you. First answer that question. What is the answer to the question?

MR. GAWF: And I will. And let me say the questions were intended to be questions posed for the Planning Commission if you wish to answer them --

COMMISSIONER SCHWARTZ: We've already answered them, though.

MR. GAWF: -- but I will give it a shot. First question, is residential appropriate at SkySong? The answer is yes. I think mixed use makes a lot of sense. Let me go back if I can, because we've talked a lot about the 325 units. And I want to go if I can go to the one that shows, and I can't -- there's one that also shows residential that fronts on the proposed parking structures, and you can see it here in the cross-hatched areas. So the 325 in the southeast corner does provide a transition to the neighborhood to the south. I also think it's important to face all of the parking structures so that you are seeing office use, retail use, or residential use. So that it becomes in effect a small downtown where you are not seeing parking, you are seeing uses. So the first question, I believe residential is appropriate.

Second question is can it be complementary to the SkySong innovation technology purpose? I think the answer's yes. In fact, I think quite often in research technology centers the kind of employees that you have, this can be a very mutually beneficial kind of relationship. That people come for a period of time to work at the technology center, they can also stay on site, they can walk to the offices, etcetera; so I think there is a relationship there. I think it also adds a more urban feel to the project, and I think that's a positive. I would also say that I think it's important -- and this you didn't ask me, but I think it's important to extend the SkySong development over to the east to Miller and really make that a whole rather than just the 42 acres.

The third question is, is the quality of the project suitable for the technology center? And you don't have the plans here tonight, so it's hard for you to judge that. My comment at this time is, I don't think so, yet. They are working on it; they are meeting with the DRB tomorrow. I think that is one that needs to be continued to be worked on, to be modified, to make sure it is of the highest quality. You remember the discussion that we had when the first two buildings came through, the promises that were made about the quality of future buildings and I think that's important to make sure that that's adhered to.

So that's my answer to those three questions.

COMMISSIONER SCHWARTZ: Well thank you, Mr. Gawf. I just want to make sure that you are going to ensure, at least to me, -- I don't know how the rest of the Commission feels about this -- but you are going to ensure to me that this deal is not retraded. These people went through more heartburn than the creation of Oscar Meyer Weiner for 40 to 50 years, okay? This is too much brain damage. There is a new Council in tow and all of a sudden new personalities about what you may have thought should have been right for SkySong, and the previous Council thought for SkySong, and now there are new personalities that potentially could change what that vision may be. And I want to make sure that we are ensured that what we ask for, what our intent was, is delivered to that City Council and that we get a residential component here that will help complement it.

MR. GAWF: And, if I may, I think my answer to that earlier was, you need to look at it at this point in time, look at where they are and say do you think a residential component would add to the mission, would be complimentary to the SkySong purpose? If you do, I would suggest you state that. If you don't, state that and make your thoughts known to the City Council.

COMMISSIONER SCHWARTZ: But to me, Ed, that's retrading the deal. We already made that decision. We made that decision, if you read in the minutes that I showed -- that was the purpose of showing those minutes. We made a statement about residential, we already did that. So why are we going back and being asked to recast our vote, asking City Council to go back and recast their vote about whether or not it's right. You've already asked the question, why are we asking it again?

MR. GAWF: Then I must have misunderstood something, because I thought this was agendized tonight so that you could weigh in on the question of residential. And if I missed that point, I apologize for going through this.

COMMISSIONER SCHWARTZ: That's why I made the comment originally to start this off. I agendized it because I want to make sure that it's crystal clear at least for me, and if it's for the rest of this Commission great, and if its not. But the way I understood it, we wanted residential. We shouldn't be asking the question again, do we want residential? Is it right there?. We've already made that decision.

CHAIRMAN STEINBERG: Okay. Let's get more comments too, because this is important dialogue.

MR. GAWF: If I could just add to that. Yes, you are right. As I am thinking through your comments, because you made that decision as part of the zoning. Again, there is a separate action that has to be undertaken, and it's not a Planning Commission action. It's a contractual action that the City Council has to decide as part of the lease agreement.

COMMISSIONER SCHWARTZ: And that's my point that there is no reason why the lease should not be just unanimously approved, because we already made the decision in the zoning. It is already appropriate for the site. We want residential, that's why we approved the zoning with residential.

CHAIRMAN STEINBERG: We are not taking action though. We are just discussing.

COMMISSIONER SCHWARTZ: Discussing, correct.

CHAIRMAN STEINBERG: Okay. Commissioner O'Neill.

COMMISSIONER O'NEILL: That was going to be one of my first points is I think there was a couple questions here about what we're being asked. We are not being asked anything. We are just discussing the issue, as I understood it, of residential in south Scottsdale, which is much bigger in my eyes than just SkySong; I hope it is at least. And that we are not being asked anything, we are just entertaining some discussion about this; and that what is happening is that the proposed architecture and site planning is going to move forward in front of the Board that hears that, which is the Development Review Board. And if any of us have opinions, we should show up at that location to actually be able to have our voices heard.

And the lease, we have always known, and you are right, Commissioner Schwartz, that I wasn't on the Commission, I was on the Development Review Board at that time, and specifically asked the question -- I specifically, personally asked the question about knowing that the lease says one thing and that the zoning says something else and which trumps which? And it was very clear to me then, as it is now, that the zoning allows residential. However, residential cannot be built unless the lease is amended. And that's always been clear to me and that unfortunately, as I understand it, the lease was written prior to the zoning. The zoning then didn't allow residential therefore the lease would not have made sense to say "Well, we should allow residential in this lease," when it wasn't allowed in the zoning. So there's just a bit, I think of timing and scheduling going on there.

More importantly, I mean I just wanted to comment that it was incredible to hear two weeks ago, I believe it was, when I attended the open house for SkySong, just what a tremendous impact they have had, the success they have had, the movement forward. The fact that we are even at this point in time discussing Phase III of this project I think is an incredible success for the City, for the developer, for the whole southern area of Scottsdale. It appears they are well ahead of schedule. I think that's incredibly exciting. I think it's going to do more for residential in south Scottsdale and it's great, I think, at this time that they are considering at this time going to City Council to ask for the change in the lease for the parking and the residential and the other issues, and that we need to support that. I mean we, the community, needs to get together and rally behind the fact that this thing is moving as quickly as it is because of the success they've had.

Regarding the architecture, I mean that is again something that I personally have been involved in and am going to continue to be involved in, going to tomorrow's study session and then going, I think it might be July 13, on the Development Review Board, just because I had been a part of that and am going to continue to follow up on that. And specifically just because wanting to make sure in that realm what the DRB said and what I believe the community was promised, which is iconic architecture, which I think possibly fell short in Phase I and Phase II's approval. But yet we were promised Phase I and Phase II was this interior portion of the community and that surrounding it was going to be this hub of iconic architecture. And it's important for me to make sure, in an appropriate place, which is the DRB in this case, that that's where it's looked at. And I would hope that through those processes that we can continue to if there are questions about the architecture -- and this I'll bring up tomorrow and on the 13th -- that we can

continue to move the project forward and possibly look at other ways, if there are questions about the skin of the buildings, how we can continue to move the project forward, while also making sure the architecture meets everybody's agreed criteria.

CHAIRMAN STEINBERG: Okay. Could we open up a discussion and garner some community conversation and then we can all talk about some of the comments we hear. I think that's going to be important.

So we have some cards here. Gary Ley, is he still here? All Right, Gary. And you'll be followed by George Knowlton.

GARY LEY: Chairman Steinberg, members of the Commission, my name is Gary Ley, and I live right by Coronado High School, which is not too far from the SkySong development.

Commissioner Schwartz is absolutely correct; this is being hijacked by just a small group of people for their own means. Residential should go forward on this property. It is a hinge pin to the rest of the facilities down there along the McDowell area. If we do not have residential in the area you are going to be looking at a big, ugly, above ground parking garage with no amenities. I don't think you want that, and I know that me and the rest of my residents in my area don't want it either, with the exception of maybe one person.

So as it stands now, this should move forward. This should be brought to its fruition instead of having anymore balkanizations or horseplay with it and it should go forward as it was planned to. Residential has always been discussed, as Chairman Steinberg well knows being part of the Ad Hoc Committee. The open house, standing room only, well received by the population, well received by the public. Other than the open house, last night, very few attendees except for maybe a small handful of people that are against the project. That leads me to believe that the residents of this city have heard enough and they want to move forward with this.

The ad hoc last night with the exception of two members approved to go forward with the residential, and correct me if I'm wrong, Chairman Steinberg.

CHAIRMAN STEINBERG: You're correct.

GARY LEY: There is no more discussion on this. The only thing that we need to do is amend the lease. And contrary to what people may say, amending the lease, which is a secondary document, is not a referendum item. It's not a legislative action. I'm sure people would disagree with me. It's a simple amendment. We need to move forward on Council and get this thing off the ground and get it back on track and moving forward.

Thank you.

CHAIRMAN STEINBERG: Thank you, Gary. George. Followed by William Lindley.

GEORGE KNOWLTON: My name is George Knowlton; I live over by Mohave School.

Commissioner Schwartz, you kind of come down on us pretty hard. I think you need to remember that this city owns more than half of that property. And as a resident I have

every right to re-ask you questions and to re-ask this Board questions without your haranguing.

That being said, and I am saying that without malice, in the beginning, and I was there from the beginning, the residents did not want residential there. That's why the lease didn't have residential on it. Later on John did his job, he got what he asked for, which was residential zoning. That's fine; he did what he was supposed to do. We assumed that you people, when the residential came up you would say, "Okay, we're into this for a \$130-million, they're into it for \$87-million, there's a \$55- or a \$53-million dollar difference there. We should take any residential that's put up and we should recover money with that." Because everything that was set up was set up with only the original buildings.

So you guys should have looked at that and you missed the boat there. And I don't blame you, because staff has to give you the information. But you should have looked at that and said "Wait a minute, we have a new component here, how can we recover more money for this city? There is going to be no recovery for 200 years on this thing except the \$81 million. And what they are saying now is that by rushing this they are going to save us \$3.5 million. So that takes us down to \$50 million we are in the hole on this project in dollar numbers. We need to renegotiate on the new lease. Yeah, there is a train coming down this track. I want a ticket on it, but I don't want to have to pay for it."

And that's what is happening here. We are giving them all of this for nothing. We need to get some money back out of that. This is a revenue stream for them and it is not for us. They are telling us its 50% of the net. What the hell's the net? How do we know what that's going to be, it could be \$2.98 for all we know. There is no way to know. We don't know if they could ever sell those for condos, which as a former commercial broker, I know they can. We need stipulations to cover that.

There are other things. The Housing Board, your City Housing Board, asked specifically if there was ever going to be residential in this unit, and if there was they wanted to know about it. In their minutes is all of that, which says "No, there would never be residential." And they have not been contacted to date. No one has said a word to them. Talked to Nancy Cantor at the meeting, she says it's in the minutes, they were never asked. Got that down.

Now, the other thing is we are talking -- everybody says 325 units, really its 805. I'd like to see that capped; that is a very dense area. We have residents now that complained about the possibility of density clear back when it was going to be a hockey arena. They complained about the height, they complained about all these things. That's why we wanted to talk to you again. We need to get some money out of those apartments as they put them up, I'd love to see them capped.

There's many other issues that I could come to. You guys have already made a decision that's going to have to go to the Council, but you could very well recommend and redo your thing that says "If we are going to put the apartments there, we need to recapture some more of that \$53-million that we are in the hole for," which we will be, folks.

Thank you very much.

CHAIRMAN STEINBERG: Thank you, George, appreciate it.

One comment, George, before you go.

COMMISSIONER SCHWARTZ: Our Board doesn't have the purview to discuss the business issues. We are talking land use here. The City, we voted on residential; we wanted residential; we asked for residential; we need to get residential.

CHAIRMAN STEINBERG: Thank you very much.

William Lindley, followed by Rita Saunders.

WILLIAM LINDLEY: Thank you Mr. Chairman, Commissioners. I'm William Lindley, 8550 East McDowell. I moved to Scottsdale, having been in the Valley for about ten years, I moved to Scottsdale about five years ago because I wanted to be, unlike where I was outside of Mesa, somewhere that had City services and that had the urban feel and accessibility of transit. And in speaking with the people who live in my area, there across from what used to be Smitty's, now going to be the Senior Center, I believe, and the people that I have talked to in my area, we see the residential there as part of mixed use. Having grown up in Boston, I see that mixed use, and especially with Scottsdale Road which has been approved as a high capacity transit line on there, I think that is going to be a huge asset to the city. And I already see the changes that are already happening as tremendously positive to the city and as a big value to the community.

So I just want to say that I really support the residential in the area and the people that I have spoken to in my area also support it. Thank you.

CHAIRMAN STEINBERG: Thank you very much. Rita.

RITA SAUNDERS-HAWRANEK: For the record, it's Rita Saunders-Hawranek, 5605 North 78th Way, Scottsdale, Arizona. I'm not here because of Ad Hoc. I'm not here because I think that residential is a terrible thing or a great thing. I'm here as Co-Chair of the Scottsdale Coalition tonight. As a Coalition we have questions about this particular residential, at this particular moment, on this particular site. It doesn't match an overlay, it doesn't match anything that the Housing Board has ever come down with, it does not address traffic, compaction, congestion in the neighborhood around it. And certainly as a member of ad hoc I was very much in favor of residential redevelopment throughout south Scottsdale. I don't recall ever being specifically asked about the site, other than its relationship to Los Arcos Crossing where we really thought residential loft retail would be kinda cool, and a hotel on the site, which we thought would be kinda cool.

I'm not here as a city planner, I'm not here as a screamer and shouter. I'm here simply to ask you people sitting there, as Chairman and as members of this Commission to ask the City to give this some time. Nobody likes to feel like they've had something rammed down their throats. The City goes on vacation for six weeks, why cannot developers, residents, and Commissions if hopefully you're around, sit down and parse this out together, reason it out together, and make it work in a way that will work.

And, Mr. Schwartz, in direct response to something you said earlier, there was a lady named Darlene Peterson who stood here that night and said, "How can you and a PUD allow this to happen as residential on a site where we have been promised no

residential?" And she was told that doesn't change. So she left this meeting believing there would be residential in the area, but not on that site. So clarity is something that has not been very good on either side or among any of the parties in the last seven months. With that, I thank you.

CHAIRMAN STEINBERG: Thank you very much. Timothy White.

Is Sheldon Sigesmund still here? No? Sheldon is on the City of Scottsdale Housing Board and he had requested to be informed of anything related to housing on this site, and Mr. Gawf, could you do that for us? Thank you.

TIMOTHY WHITE: Hello, my name is Tim White. First I want to thank you for actually voting this through. I think it's an amazing thing. I don't want to be too redundant. I spoke yesterday, so I do apologize to Steve Steinberg for this. But I've been a resident of Scottsdale, I went to Hohokam High School, my family has been here all my life.

We've seen Scottsdale grow something beautiful -- actually nationally you can go anywhere, some of the greatest cities in the world such as San Diego and people go, "Oh you're from Scottsdale," and with a slight bit of jealousy. But the problem is they're not talking about south Scottsdale, they are talking about north Scottsdale, they are talking about Old Town Scottsdale. See, south Scottsdale won't have a problem with traffic; certainly if we don't approve things like this. No, there will just be more businesses that are vacant, empty parking lots, more check cashing stores and empty lots. They need to be vitalized again. And that's why I am so passionate about taking time out of my day; I know a lot of young people don't. I have to speak up because I want to see this grow, I want to see this happen.

I mean, when you look at things such as the institution that's in San Francisco, there's housing. It's important. It's important for these people that are participating with some of these major technology companies to be able to house their people with a respectable housing; something they can be proud of, contemporary and modern. Not apartment, Sycamore Creek up Thomas Road with shoddy plumbing, bad carpets, and horrible curb appeal, but something that is absolutely invigorating.

Here are some of the brightest minds in the world and they have opportunities to go anywhere. So let's make them be proud that they are going to be in south Scottsdale.

That's basically all I really have to say. Thank you for taking your time out. And again, there is a voice behind you, Commissioners and Chair, that gives you a pat on the back saying thank you very much for seeing this vision all the way through.

CHAIRMAN STEINBERG: Thanks Tim. That closes the public discussion.

Commissioners. Ed, you have some more comments?

MR. GAWF: I was just going to answer a couple of questions that were raised. And one was the issue on contractual issue of the lease, the financial aspects of it. And I think someone indicated correctly that really the role of the Planning Commission is to look at the land use, not the financial part of that. That will be something that City Council will look at.

Secondly, the City Housing Board, I will follow up with them and actually schedule a time that I can make a presentation to them.

The final thing I would say, and it's something that I didn't mention in my presentation, I try to always do it because I think it's very important. For me -- the main thrust of this is the research and innovation center. So one of the ways that we have proposed that they can get additional residential is as they build the office and retail component, they get additional residential. For example, there's 325 units in this phase, they are building approximately 320,000 square feet of office and retail. So that they'll, again, it will truly be a mixed use, not one use or the other.

The other point that I didn't make that I think is important is that the 1.2 million square feet of office and retail that we've always talked about will occur. The residential use -- and I think we discussed it at the Planning Commission as we were looking at the zoning strips -- the density for the residential is calculated differently and is not part of the 1.2 million. So there will be the residential units of whatever number as well as the 1.2 million square feet that was originally promised as part of the research and innovation center.

So with that I'd be happy to answer any questions you might have.

CHAIRMAN STEINBERG: You know, George brought up an interesting point. So what I'm gathering from all this is that the 1.2 million is part of the original deal and the 805 residential units and the income therefrom is the gravy for the developer. Do we not have any part in that ?

MR. GAWF: No. We are discussing that, because you're right. The way I think of it and it's pretty simplistic, but I think of it as two separate buckets. One bucket is the original lease agreement and the financial arrangements we made with that. They are now asking for residential and so we are talking about what is the financial benefit to the City of doing that. And it could be accelerating construction; it could be lowering some of our obligation. There's several things we can look at, but that's part of what City Council will look at as they review the lease.

CHAIRMAN STEINBERG: And the parking that's been proposed with the residential, to soften the parking, that parking will satisfy the parking requirements for the research and development and the retail plus the residential; there won't be any parking issues?

MR. GAWF: Yes. It's intended to be 900 to 1,000 spaces. About half of them will be for the residential component and about half will satisfy the parking need for Phase II building, the southern building that's next to the proposed residential and the structure. So it will satisfy both.

CHAIRMAN STEINBERG: So they're building 325,000 square feet in Phase I and II, and parking will be at four per thousand thereabouts?

MR. GAWF: Actually it's one per, I think, 300. 33 per thousand is our requirement. And part of what we need to see actually -- and we haven't gotten into this yet, we will with experience -- is what is the benefit of a shared relationship? Because obviously there's going to be plenty of parking for residential overflow at night and maybe some of that

overflow during the day could be used for the offices. So there is a shared parking advantage to having mixed use.

CHAIRMAN STEINBERG: So how much parking is in the initial phases where residential is being proposed?

MR. GAWF: Around 500. It's actually like 530 spaces or something like that.

CHAIRMAN STEINBERG: And how much for the technology center?

MR. GAWF: Around 500 or so, and we're still looking at those numbers.

CHAIRMAN STEINBERG: So that's about 1,000 spaces?

MR. GAWF: Yes. Yes, 900 to 1,000 spaces.

CHAIRMAN STEINBERG: I see.

MR. GAWF: And you have surface parking on the streets. So we are looking at all of the parking in the area as we calculate it.

CHAIRMAN STEINBERG: And as far as the traffic impact on the residential?

MR. GAWF: You may recall that as part of the original zoning review of Phase I and Phase II, we hired an outside transportation consultant, Parson Sprinklerhoff, to do an independent traffic analysis. They did that. They made recommendations on what changes need to be made to accommodate the traffic. We've asked them to update that with the additional residential; so we can look at that. I've seen some preliminary numbers, I just saw them today in fact, and it looks like there may need to be some improvements made, but the existing street system can handle the additional residential traffic.

We have to remember -- and actually this is a good site -- that ten years ago there was a regional shopping center with all the traffic being generated by that several hundred thousand square feet at this site. And the roads were sized appropriately to serve that regional shopping center need. So we are very fortunate from a road standpoint that McDowell and Scottsdale Road are good thoroughfares that have good capacity.

CHAIRMAN STEINBERG: Thank you. Commissioners.

COMMISSIONER HESS: Ed, I have a question. Could you explain to us what the sudden urgency is and why there's so much pressure if you will to accomplish this instantaneously as it were. And then I have a comment or two.

MR. GAWF: The sort of time issue -- and again, let me preface this comment with saying doing it right is always the best thing. I mean that is the first thing we have to do, is do it right. But the time pressure is the fact that -- actually if we can go back one to the schedule because I think that shows it.

Phase I building is getting ready to start construction, that is the 158,000 square feet on the north side of the boulevard. The second one will start in four or five months, so this

fall. The parking for the first building will be surface parking north of the structure. Parking for the second building either needs to be surface parking or structure. If it's a structure, in order to be online when the building is ready to be occupied, design work needs to start fairly soon; July, August, September. And so that becomes the sort of driving force from a time standpoint. And the thought is -- and again I think the comment earlier is right, you need to step back and look at the big picture, but still every dollar does count and we are looking at \$2 to \$2.5 million or so for building that temporary surface parking lot to the south. And a parking structure we are assuming around \$12 million for a thousand-space parking structure.

So as we look at it and think about is it better to invest in a parking structure now rather than a temporary surface parking lot that will be torn up three or four years from now and replaced with the parking structure? we said "We owe it to the community to bring that decision forward. Let the community decide -- represented by the Council, decide on this issue rather than making a staff decision." So that's what's I think driving it from a time standpoint.

COMMISSIONER HESS: Why does that force the issue of residential? I mean, I understand, I'd just like you to clarify that so we're not --

MR. GAWF: Yes. And the proposal is that the structure would be clad, if you will, with residential buildings. So you have to design it to have mechanical ventilation, you have to design it to meet the firewall codes, etcetera. So whether it's designed to have residential adjacent to it or be a free-standing structure becomes a fairly important decision early on. A parking structure can be built that doesn't have the residential around it, but if you do want to have the residential around it, you have to design the parking structure in a special way.

COMMISSIONER HESS: Okay. I just have one or two brief comments, and I think Commissioner O'Neil was very succinct and very clear. I'm very supportive of having residential here. I have had the dubious pleasure; I wouldn't even call it a pleasure, of seeing the initial design for these residential units. I wouldn't call it iconic, maybe ironic. I really can't think of a word to describe it, and I think if we are going to move this forward, you keep referring to having world-class design and so forth, we do, it's world lousy class design, what I saw. That isn't the purview of this Commission; it's the DRB's. I unfortunately can't be there tomorrow. Kevin, you'll speak up and relay loudly. And I would like to see this move forward, but I would also like to suggest that this project design be given really serious consideration and that it not just be shoved through because we need to get it done, sort of the way SkySong was.

If this is going to be world class architecture let's make it that. Nobody's asking to redesign the interior of these buildings, but the exterior of them is repulsive frankly. Sorry, no offence to the architect. Maybe the blame falls on the developer who's not putting up enough money and reaching into our pockets for a lot of profit; and I would object to that strenuously. His feet need to be held to the fire; he's going to make a lot of money here and we are giving him 125-million dollars to play with; I think he should be held to an extremely high standard. So I hope the DRB takes that consideration very seriously. And that being said I don't really have anything else to add at the moment.

CHAIRMAN STEINBERG: Thank you. Commissioner Heitel.

VICE-CHAIRMAN HEITEL: Yeah, just a few brief comments. Ed, very timely and thorough update, I appreciate those comments and Ric reminds me I've got to be brief. But I'm not surprised, I'm glad to see the residential component coming. I think it's timely. The process I'm sure is very frustrating for a lot of people, but I'm reminded as we sit here that I think my true definition of purgatory would be being a developer with a city government as a partner. So that said, this is a natural process. It's frustrating, but that is the nature of things. Clearly Higgins Plaza knew that, they're big boys and they are not being hijacked, this is just the way it works when you have to do business in this horrible sort of public process; but that's just the way it is.

I think the City made a good decision early on in holding back that trump card on the residential. The property was clearly zoned and the intention was there, but they held that trump card. Ultimately the City Council will have the ability to ferret out the details as you're working through them and fine-tuning some of the economic issues. And that's a good process, so the process wasn't hijacked from us as citizens. So I think you've done a good job there. I'm happy to see Kevin O'Neill and Steve Steinberg still involved in the architectural part of the thing, because as I think Commissioner Hess stated, I think ultimately architecture is going to be the key to the success or failure of this project; and that standard has to be absolutely extremely high.

Good job and thanks for your update.

CHAIRMAN STEINBERG: Thanks Commissioner. Commissioner Steinke.

COMMISSIONER STEINKE: Yes. Not only will Kevin be there tomorrow, I believe, but I am the representative from the Planning Commission on DRB tomorrow. And I have taken these last 45 minutes here to understand and appreciate both the vision and the passion that we want to represent before the DRB as it comes up tomorrow or wherever it comes up. So I just wanted to affirm to the people here that in the ways that I can I'll express that passion, and that interest, and enthusiasm, and certainly the focus on the vision. And where we can expedite we will, but where we have to do it right we will also do that. Thank you.

COMMISSIONER BARNETT: Mr. Gawf, you have a new record. Other than me going to time out in second grade for getting in trouble, that was the longest three minutes of my entire life. So thank you for setting a new standard for me.

MR. GAWF: I'm glad I was able to do something for you tonight.

COMMISSIONER BARNETT: Having said that, I mean I think Commissioner Heitel makes some good points. I mean, this is just a nightmare from the get-go and it has nothing to do with the process; I think the process is unbelievably frustrating just from a pure developer standpoint. And then when we get involved with it and we are on both sides of approving architecture, approving flow, as well as being a partner, as well as being involved in every aspect, it's just a nightmare from the get-go.

Having said that, I'm a huge fan of this. I think this is one of the best things the City has done in a long time. And when I'm sitting up here, I'm doing my little two bits as a volunteer, but I am really looking to you as Assistant City Manager to negotiate some decent terms and look out for my interest as a City of Scottsdale citizen, of looking out

for my investment, my taxes and really taking into consideration a lot of the comments that Mr. Knowlton has brought up over here.

And, you know, it's frustrating because we are negotiating contracts that are moving around, we are negotiating architecture that's moving around, we are negotiating site plans that are moving around, we're negotiating an entire section of the City all at one time, and it's just tough. And so I'm sure you've gotten very little thanks out of this whole thing, Mr. Gawf. But I thank you for tolerating the whole process and putting up with frustrating people and strong vocal people like Mr. Schwartz here and Mr. Knowlton and some of the other people that we have involved in the process.

Anyway, I'm glad that we are moving forward. I'm glad with the developers we've picked. I think the main complaint that everybody's had is with the architecture on the first go-round and I think they're definitely on notice that there's some people looking over their shoulders at this go-round.

Anyway going forward, thanks for all you're doing.

CHAIRMAN STEINBERG: Commissioner Schwartz.

COMMISSIONER SCHWARTZ: Thank you. I just want to make clear that my comments were related to the use and nothing other than the use. And my comments about being hijacked is simply because of all the articles I've read in the paper about no residential, no residential, no residential. We want a residential.

So my purpose and goal was to have that discussion here so that we can deliver a message whether it's just the minutes of this meeting or a letter that we send collectively from the Planning Commission supporting residential use. There are other things that we have to do to protect our city. Design is number one of them. The financials, I wasn't part of the financials on that project, I don't know how they work; it wouldn't be for me to comment. But I am commenting about residential. I want residential. Sounds like the rest of this Commission wanted residential at the time, sounds like we want it now. And I think it's important that we support our City Council and -- they've said in the past, we want to hear from you, so I think this is the perfect opportunity for us to send a one line letter from the Planning Commission that says "We unanimously support residential at SkySong." That's it, that's all it has to say. They can work out the details of everything else.

COMMISSIONER BARNETT: And I would completely agree with that. And Mr. Gawf, you asked the rhetorical question earlier, you were asking us if we support residential. I think in our minds there really never was any question. We always pretty much assumed it was there. We remember the conversation; it was in all of our packages. So you asked the rhetorical question, but I think we all fully want residential there.

The comments earlier about traffic and congestion, that's part of the decision making process that goes into this site and we pretty much assume that residential is going to be there. So if it needs to be a line from us -- I think just a copy of the transcript from tonight, from the section, if we just handed that over as part of the City Council meetings that would probably look more appropriate. But, I think we personally give you support and we give City Council support and we'd like to see that as a portion.

CHAIRMAN STEINBERG: Absolutely. Just to sum up quickly, I know it's late, a mixed-use project without residential is not a mixed-use project. And coming from having lived in the largest mixed-use project in the world, called New York City, I think this is a great urban site.

I am going to be really, really tough on the architecture coming up. I was kind of pushed in a corner on the first phase and wanted to get things going for the sake of time, but the results are mundane and a lot of people have echoed that. Anything coming forth will have to be more than just quiet architecture as Harry Karp had coined it; it's got to be exceptional architecture.

I was in San Francisco this week and I saw exceptional architecture; had a nice experience walking the streets. And the mix of residential and commercial and retail just gave you that vibrancy which is missing in this town, which will be here in the next few years.

So I agree with my colleagues and we are going to send a strong message to City Council, we support residential. We'll be on top of them and ensuring the project is the best it can possibly be. And we are going to be in the developers face from this point forward.

MR. GAWF: Thank you, Commission. I might suggest, since this is listed as a non-action item, that you use the minutes as an indicator of your sentiments to the Council and we will, I'm sure, do that and pass it forward as part of the package that goes to the City Council.

CHAIRMAN STEINBERG: You bet.

COMMISSIONER SCHWARTZ: Mr. Gawf, thank you for your help.

END VERBATIM PORTION OF MINUTES

ADJOURNMENT

With no further business to discuss, the regular meeting of the Scottsdale Planning Commission adjourned at 8:48 p.m.

Respectfully submitted,
A/V Tronics, Inc.

Attachment #8

**Written Comments (email) from the Public
Regarding this Proposal.**

Attachment #8



SPEAKER/CITIZEN COMMENT CARD

This card is for providing comments when attending City Council and other public meetings, whether or not you wish to speak.

Cards must be submitted BEFORE public testimony has begun on the item.

Testimony is limited to 3 minutes per speaker. Additional time MAY be granted to speakers representing two or more persons. Cards for designated speakers and the persons they represent must be submitted together.

PLEASE PRINT NAME KEYIN O'NEILL MEETING DATE 6.15.06

IF APPLICABLE, NAME THE GROUP OR ORGANIZATION YOU REPRESENT _____

ADDRESS 8098 N. VIA DE NEGOCIO ZIP 85258

HOME PHONE 480.694.3507 WORK PHONE _____

☒ YES, I WISH TO SPEAK REGARDING ITEM # SKYSONG (IF TAKING PUBLIC COMMENT I WOULD LIKE TO SPEAK)

☐ NO, I DO NOT WISH TO SPEAK, BUT WISH TO COMMENT ON BACK OF THIS CARD.

☐ I AM IN FAVOR OF AGENDA ITEM # _____ ☐ I AM OPPOSED TO AGENDA ITEM # _____

☒ I WISH TO SPEAK DURING "PUBLIC COMMENTS" CONCERNING FAVOR RESIDENTIAL DESIGN NEBS WORK

Public comments are limited to items not otherwise listed on the agenda. Citizens may complete one speaker/citizen comment card per night and submit it to the City Clerk before or during the meeting. Council will listen to your remarks, but is prohibited by state law from discussing items which are not specifically listed on the agenda and posted at least 24-hours before the meeting begins.

This card constitutes a public record under Arizona law.

GG2003-411SCC (11/03)
(2.000 - 6/05)



SPEAKER/CITIZEN COMMENT CARD

This card is for providing comments when attending City Council and other public meetings, whether or not you wish to speak.

Cards must be submitted **BEFORE** public testimony has begun on the item. Testimony is limited to 3 minutes per speaker. Additional time **MAY** be granted to speakers representing two or more persons. Cards for designated speakers and the persons they represent must be submitted together.

Study Session
1

PLEASE PRINT NAME

George Knowlton

MEETING DATE

6-15-06 11am

IF APPLICABLE, NAME THE GROUP OR ORGANIZATION YOU REPRESENT _____

ADDRESS

8701 E. JALWAY VIEW RD

ZIP

85210

HOME PHONE

480-326-2425

WORK PHONE _____

☐ YES, I WISH TO SPEAK REGARDING ITEM # SILY SOWER

☐ NO, I DO NOT WISH TO SPEAK, BUT WISH TO COMMENT ON BACK OF THIS CARD.

☐ I AM IN FAVOR OF AGENDA ITEM # _____ ☐ I AM OPPOSED TO AGENDA ITEM # _____

☐ I WISH TO SPEAK DURING "PUBLIC COMMENTS" CONCERNING _____

Public comments are limited to items not otherwise listed on the agenda. Citizens may complete one speaker/citizen comment card per night and submit it to the City Clerk before or during the meeting. Council will listen to your remarks, but is prohibited by state law from discussing items which are not specifically listed on the agenda and posted at least 24-hours before the meeting begins.

This card constitutes a public record under Arizona law.

GG2003-411SCC (11/03)
(2.000 - 1/06)

SkySong
Neighborhood Open House Sign-In Sheet
Wednesday, May 31, 2006

Print Name	Address	Phone	Email
1. MARTHA SZYMBOVSKI	7424 E. Kinney Ave.		
2. Kathy Littlefield	8924 E. Shunda Ave.		
3. RICHARD GAYLE	2608 N. 69TH PLACE	480-945-5969	
4. PETER GERNLEY	1738 W. CENTRALEN DR	480-272-9325	
5. JAMES PARKS	7308 E PORTLAND	947 4637	-
6. MARGARET PARKS	"	"	
7. ERIC LARSON	6900 E. INDIAN SCHOOL	480-850-6920	ELARSON@ARMAGS.COM
8. Jim HEATH	6732 E. SHERIDAN ST	480-946-4976	
9. Tiffany Carlson	7601 E Roosevelt St #1009	480-215-1105	carlson.tiffany@hotmail.com
10. Hazel Watkins	2538 E. Taepa	480-994-9090	hazwat1@aol.com
11. Tracy Keller	7402 E. Bellevue	480-219-6695	tkell@arnkor.com
12. Marlene Kaymanis		480-390-2702	
13. Kuba Kucharski		520 990-3520	Redsub14@aol.com
14. ANGELA JACOBI	7562 E. BELLEVUE	480-429-4534	
15. Vaisha Vidman	6419 E Virginia Ave	480-945-7362	
16. SUE CARLTON	123 E. KATZ	NA	CARLTON_FAMILY@aol.com
17. Patty Bartench	5027 N. 71 PL	480-949-549	grandbidench@quest.net
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SkySong

Neighborhood Open House Sign-In Sheet

Wednesday, May 31, 2006

Print Name	Address	Phone	Email
1. Michelle Aubert	8031 E. Edgemont Ave Sols	602-327-1166	Michelle.Aubert@cox.net
2. Jo Ann Handle	6813 E Monterey Rd	480-946-0324	jhandlee@earthlink.net
3. EUGENE WIEBRE	2007 N. 68 PLACE	—	—
4. LEO WILCOX	6943 E. PALM LANE	480-990-2864	
5. DON CONVILLION	13211 N. 76TH PL	480-965-5945	
6. FRANCES LEY	2571 N. MILLER RD	480-947-9760	
7. W. J. "J. M." LANE	4400 E. El Rancho Dr.	480 312 2550	—
8. Leanne Carsten	8232 E. Camelback RD SD	480 946-4012	chunkyp@ad
9. Kim Grabovich	9500 E Ironwood Sq Dr #101	480-388-9617	Kim.sells@home.com
10. MARTY STEPHENS	Scottsdale 85258 85258 9270 S. MISSION LN #120 Scottsdale	480-391-3175	MARTY.M.H.L@AOL.COM
11. Collin Swift	5920 W. 8th Ave Glendale, AZ	623-570-2155	Supr@401.com
12. JIM GETTY	2647 N. 73 PLACE	480 949 5204	
13. JOE WHITMAN	2843 E WELDON AVE	602 595 5408	WHITMAN@COX.NET
14. KERRY L PARKS	7326 E. LAYMAN	602-867-1332	
15. HARRIET WILLIAMS	755 N DEL NORTE DR.	480 948-2710	
16. Sarah Jennings	5950 N 78th St #154	480 710 6234	
17. HAROLD SACKS	7820 E. CORONADO RD	480 639 5538	
18. MATT LUDWIG	3875 N. 44th St.	602 957 3434	
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Neighborhood Open House Sign-In Sheet
Wednesday, May 31, 2006

Print Name	Address	Phone	Email
1. Paul F Reich	7881 E. Buena Vista Way	945-3994	22 pfr@webTV.i
2. Bob Therahorn	8108 E Valley View	423-6972	
3. Mac Cummins	COS	312-7059	mcummins@Scottsdale
4. Shirley Lester	1819 E. Kael St. Mesa	733-6532	
5. John Lester	" " "	"	
6. Jennifer Morgan	3311 N. Scottsdale Rd	429-7785	jennifer.morgan@maricopa
7. Ryan Gabrielsen		970-2341	
8. EMMETT KILLARIEFF	6007 E. LEWIS	994-1683	
9. Julie Lind	626 E. Taylor St.	602-312-8345	julind@juno.com
10. Teri Stephenson	10291 E. Caribbean Lane		Teri@asu.edu
11. Gene Sater	8343 E. MINNEAPOLIS AVE		
12. Nettie Sacks	7820 E Coronado Rd.	480-659-5538	Harnet18@AOL
13. Dawn Park	830 W Elva Rae St	480-232-4589	dnpdnt@yaphan
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Neighborhood Open House Sign-In Sheet
Wednesday, May 31, 2006

Print Name	Address	Phone	Email
1. JUDY Vietri	3507 N CARROLL	945-2080	
2. LAURA Knaperek	1700 W. WASHINGTON	602-926-4225	
3. DORIS R. Crowe	7301 E. ALMERIA	—	—
4. HOWARD Crowe	" "		
5. Jennifer Clark	7325 E. 3rd Ave	480-874-6068	
6. Don Nomack	6305 E Pinchot Ave	480-945-3382	
7. Nan Nesvig	6144 N. 77th Pl	480-368-8701	
8. John Sarmiento	400 N Comrade St #207		johnsarm@gmail.com
9. Casey Newton	16227 N. Greenway Hayden Loop	602-444-6853	casey.newton@arizona.gov
10. JAY WERNICKOFF	8057 V.A. DEL ALBA	(480) 991-3558	
11. Robert Wheat	1312 N. Scottsdale	480-425-0397	
12. Prescott Smith		602-980-3376	—
13. James Tison		480-557-9815	
14. Jessica Bipling		480-703-5090	dr. jessica@gmail.com
15. LEVIN O'NEIL	7955 E. VIA SIERRA	480-694-3507	
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SkySong

Neighborhood Open House Sign-In Sheet

Wednesday, May 31, 2006

Print Name	Address	Phone	Email
1. Jason Wellman	6731 E Granada	480 907 6299	
2. Bob Nybakken	1050 N. 74th St	480-994-1930	R. ENPHOTIKEN Co. Net
3. Ann J. J. J.	7244 E. Bellview	480.998.958	
4. VERONICA REBELAS	7301 E. POLE ST.	480-874-3269	
5. Miles McBride	7313 E Banta		miles101965@yahoo.com
6. Tiffan Wright	1412 W. Garden St	(480) 610-1410	
7. Patsy Lowry	7600 N. Marilyn Ln	602.301.9326	
8. Jon Kemp		480 760 5403	
9. David Auerud	149 E Banta	(480) 323-0728	
10. Bob Draper	7529 E. Culver St #521	480 946 7429	
11. Mark Bauer		602 735 5555	
12. Jim Fagan		602 735 5555	
13. Jerry Roberts			
14. Barbara Cantor	8720 E. Forest Dr.	480-994-1452	
15. DAVID CANTOR	8720 E. FOREST DR	480-994-1452	
16. M. Johnson	PO BOX 26806	480-699-9955	
17. Bob Mathen	5772 N 10th place PHF	602-890-7941	
18. GAIL HEIDMETH	8455 E. PEPPER TREE LN SCOTT A2	602-977-2006	
19. John P. Pickrell	4206 N. 68th St. ES250	480 947-0612	
20. I (a) Pickrell			
21. JEAN Deschneider	930 N Roosevelt Circle		J. DESCHNEIDER Co. Net
22. LOUISE LAMB	7608 E 4th St	480-946-5658	
23. KRIS PATRICKS	7301 E. Shearson St.	602-421-9219	
24. Dan Heather-Green	8033 Eweldon Ave	480 947-1089	
25.			

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Neighborhood Open House Sign-In Sheet
Wednesday, May 31, 2006

Print Name	Address	Phone	Email
1. Robert Mayhew	7231 E. Hatcher	480-990-1276	
2. George Knowlton	8701 E. Valley View Rd	480-326-2475	
3. SHYRLA GETCHEN	7627 E. Modock	480-990-0820	
4. SHIRLEY KORDASPO	7900 E. PRINCESS DR #279	480-251-7031	
5. Paul Smith	5806 E. Lewis Ave	480-994-9739	
6. Choc Bergin	7413 E. Bellevue		
7. Gordon Fitzgerald	8427 Via Del Parque	480-958-5822	
8. CARY LOY	2571 N. MILLER	480-947-9700	
9. Rita Saunders-Hawranek	5605 N. 78 th St	480-990-3300	
10. Nancy Gantor	6801 E. Camelback Rd	480-516-4666	
11. Darlene Peterson	7327 E. Hilshurst Dr.	994-9010	
12. Jerry Rinein	7343 E. GRANADA RD	480-946-3648	
13. Christine Orson	2036 N. Miller Rd		
14. Marybeth Ingraham	6150 E. Cambridge	480-946-6792	msingraham@cox.net
15. Jim Kunker	5434 E. LINCOLN DR #1	480-948-8115	
16. John Little	City of Scottsdale		
17. Shirley Bachman	7904 E. Pecos - Scottsdale	480-946-5065	
18. Robert P. Babin	" " "	" " "	
19. Lusia Malav	605	480-312-2506	
20. Rey Torres	13801 E. Harrison Gilbert, #285296	(480) 452-7807	Rey.torres@house.mg
21. Chad Jacobs		520-331-6990	gator
22. Andrew Hille	5438 E. Lincoln drive #2	860 861 1303	
23. E. PIRAINO	1718 S. Longman		
24. Susan Friedbauer	4210 N. 78 th Pl.	(480) 424-7759	
25. Terry Hawwa	4129 N. 78TH WAY	480-946-5294	

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Neighborhood Open House Sign-In Sheet
Wednesday, May 31, 2006

Print Name	Address	Phone	Email
1. Tim White	1012 N. Miller Rd	415 2058564	TimWhite@yahoo.com
2. Paul Wade	7520 E. Canon Dr.	(940) 296-8954	PaulWade520@yahoo.com
3. Dolores GALLAGHER	7350 E. Arlington Rd	430 941-0550	None
4. Tom Mason	16164 E. Camelback	480-990-7257	
5. Rex Sheppard	Scottsdale Chamber	480-49-2253	
6. Bob Pearlsstein	2415 E. Camelback	602-735-1762	
7. Stuart Kritzer	6744 E. Holly	480 948-8777	
8. Rev. David Devine	6916 E. Granada	480-588-6206	ddevine@cox.net
9. Steven Bohner	1131 W. Goldfinch Way	480-963-2299	osuderi11@yahoo.com
10. Tom Nagy	2355 E. Camelback Ste 610	602 522-2205	tnagy@mydaz.com
11. Cathy Johnson	7730 E. Valley View		
12. Dave Palty	2344 E. Bighorn Ave	480-333-2863	
13. Amy Ford	1501 W. Mountainhead Pkwy		fordam@worldnet.att.net
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Neighborhood Open House Sign-In Sheet

Wednesday, May 31, 2006

Print Name	Address	Phone	Email
1. RACHEL RICHARDSON	1217 N. MILLER RD. Unit 2, Scottsdale	515 270 7430 85257	rachel@783.com
2. DACE CHASE	3515 N. NAVAJO TRAIL	480 423-9162	DACE@YAHOO.COM
3. JUDY WELER	23003 N 77TH WAY	480-515-1190	none
4. Andrea Michaels	33012 N 68TH Way	480 488 8456	
5. ATL JACOBSEN	756 E BELLEVUE	480 429 4534	
6. LISSI WALKER	1500 W 9th St # 110	480-361-4414	
7. Nicholas Miner	3875 N 44th St #350	602-778-5132	nminer@ccim.net
8. DAVID MICHAELS	33012 N. 68TH Way 85262	480 488 8456	
9. JAY SIMPSON	236 N. 3rd Ave	602 234 1140	
10. JOHN E ANDERSON	7526 E Beatrice	480-442-8703	
11. Tom Wright		480-969-9848	tom.wright@harrybricks.com
12. Dale Despain	1960 E Menden Dr Tempe	480-838-1230	dale@despaincox.net
13. GARY MORGAN	5601 N 76TH PL	480-947-7733	GMORGAN@ONLINE.CO
14. Patrick McGee	2425 N. 66 St	480 221 9868	pmcgee@COX.NET
15. Marlys Anvik	4003 E Lupin Pk		manvik@csu.edu
16. Patti Skidmore	Po Box 4189, Scottsdale		
17. Chuck Skidmore	" "		@WZBTV.NET
18. CONRAD BOLICK	4702 N. 73RD ST #33	480/425-8957	conrad@idol.com
19. Dale De Schum	920 W. Roosevelt Circle	480/664-9309	dale@despaincox.net
20. Beverly Oberhelman	6332 E Yuma St	480 946 8287	
21. MICHAEL YAMERN	7950 E. STARLIGHT WAY #214	480-946-6188	
22. JODY ALEXANDER	8738 E ORANGE BLOSSOM LN	480-421-9420	DALE@COX.NET
23. Ken Scott	3003 N. CENTRAL PKW, AZ	480-221-7762	KSCOTT@SOLUTIONS.COM
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SkySong
Neighborhood Open House Sign-In Sheet
Wednesday, May 31, 2006

Print Name	Address	Phone	Email
1. BLISS CHRISTIAN	2419 N 66th St	945 1198	
2. LOU WERNER	3920 E. BOHANNY HOME RD.		
3. BARBARA Alyn	8901 E MTN VIEW		
4. SCOTT KERR	6424 E. Greenway Blvd		
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SkySong

Neighborhood Open House Sign-In Sheet

Wednesday, May 31, 2006

Print Name	Address	Phone	Email
1. BROCK NOUKOV	1419 E. RED RANGWAY	480 683 2173	bnoukov@qvrinc.ca
2. ALI HAVIG	5722 N 104th PLACE	406 660 3801	
3. ROBT/BARBARA	8627 E. SKEID AV	480-945-7835	
4. TED GATES			theodore.gates@asu.edu
5. BRIAN BOUCHER		602-337-2540	
6. HANK SCUTOSKI	19095 N. THOMPSON PEAK PKWY #2065	602-300-7518	HANK @ VALLEY OF SUN HOMES.COM
7. Amy Hoagberg	7537 E. Cordidge St.	480-804-0482	
8. Gabriel Sosa	2120 E. Sixth St. #1, Tempe 85281	480-841-1076	gabe@eires.com
9. GAIL AND FREDRICK	6322 E. PINCHOT	480-946-8287	
10. MARY ANN MULLER	2341 W. 81st Way SO 85257		
11. SCOTT PEARCE	6644 E. KERNON AVE	480-921-9861	
12. LISA HASKELL	2400 N 71ST ST #2400L	947-1846	
13. WYLE WURTE	6510 E palm hwy	947-9446	
14. MIKE KELLY			
15. MIKE KELLY	8973 N. 84th WY		
16. SEVE COOK	6137 E CARON DRIVE P.V. 85253	602-418-0111	scook@propertypartners.com
17. Carney Davis	6525 E Sheridan Sct. 85257	480 965 5361	
18. Paul Ingraham	6150 E. Cambridge 85257	480-946-6792	
19. Virginia Lukian	7925 E MONTE VISITA 85257		
20. Tom Walker	7720 E. Northland	480 947 7908	
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SkySong
Neighborhood Input Card

PRINT NAME LOU WERNER
ADDRESS 3920 E. BETHANY HOME CITY PV. ZIP _____
PHONE _____ EMAIL _____

PLEASE TELL US YOUR THOUGHTS & SUGGESTIONS REGARDING THE PROPOSED PROJECT:

I AM ENCOURAGED BY THE CONTEMPORARY LOOK.
KEEP PUSHING IT. YOU'LL HAVE HAPPIER RESIDENTS
IF YOU ADD OVERHANGS - OF ANY TYPE.
(SAILS WOULD COMPLETE THE PROJECT LANGUAGE A-LA-
THE MAIN LIBRARY).

BEST of LUCK.

Technical Solutions • 3875 N. 44th Street #300 Phoenix, AZ 85018 • Phone: (602) 957-3434 • Fax: (602) 955-4505 • Email: info@technicalsolutionsaz.com

SkySong
Neighborhood Input Card

PRINT NAME MELANIE JOHNSTON
ADDRESS PO BOX 26806 CITY Scottsdale ZIP 85255
PHONE 480-699-9755 EMAIL melanie.johnston@cox.net

PLEASE TELL US YOUR THOUGHTS & SUGGESTIONS REGARDING THE PROPOSED PROJECT:

We are concerned that the designs of
streetscapes and "cobbled" streets will
not be handiapped accessible. Please
avoid very textured, "bumpy" floor
surfaces that are difficult to navigate.
And ensure accessibility for wheelchairs
and strollers at stoops and other entrances

Technical Solutions • 3875 N. 44th Street #300 Phoenix, AZ 85018 • Phone: (602) 957-3434 • Fax: (602) 955-4505 • Email: info@technicalsolutionsaz.com

SkySong
Neighborhood Input Card

PRINT NAME Mary Sue Ingraham
ADDRESS 6150 E. Cambridge CITY Scottsdale ZIP AZ
PHONE 480.946.1679 EMAIL _____

PLEASE TELL US YOUR THOUGHTS & SUGGESTIONS REGARDING THE PROPOSED PROJECT:

We welcome SkySong and the
logical inclusion of a residential
component.

Technical Solutions • 3875 N. 44th Street #300 Phoenix, AZ 85018 • Phone: (602) 957-3434 • Fax: (602) 955-4505 • Email: info@technicalolutionsaz.com

SkySong
Neighborhood Input Card

PRINT NAME Terrence M. Hanson
ADDRESS 4129 N. 73rd Way CITY Scottsdale ZIP 85251
PHONE 480.946.5294 EMAIL terryhanson@cox.net

PLEASE TELL US YOUR THOUGHTS & SUGGESTIONS REGARDING THE PROPOSED PROJECT:

I like the urban look! 24-7 activity is desirable.
would really embrace townhouse/loft/condo development
in the area.

Technical Solutions • 3875 N. 44th Street #300 Phoenix, AZ 85018 • Phone: (602) 957-3434 • Fax: (602) 955-4505 • Email: info@technicalolutionsaz.com

SkySong
Neighborhood Input Card

PRINT NAME MARTHA SZYMBOYSKI
ADDRESS 7424 E. KIMSEY LN CITY SCOTTSDALE ZIP 85257
PHONE 480-946-5145 EMAIL _____

PLEASE TELL US YOUR THOUGHTS & SUGGESTIONS REGARDING THE PROPOSED PROJECT:

I'm strictly opposed to the ASU Center
and apartments being built in my neighborhood.
Put them somewhere else. I've lived in my
home over 40 years. What good is this project
for me and everyone in the neighborhood?
Let's not do this.

Technical Solutions • 3875 N. 44th Street #300 Phoenix, AZ 85018 • Phone: (602) 957-3434 • Fax: (602) 955-4505 • Email: info@technicalsolutionsaz.com

SkySong
Neighborhood Input Card

PRINT NAME JUDY VIETRI
ADDRESS 3507 N. CARHILL CITY SCOTTSDALE ZIP 85251
PHONE 480-945-2080 EMAIL _____

PLEASE TELL US YOUR THOUGHTS & SUGGESTIONS REGARDING THE PROPOSED PROJECT:

I'm opposed to APARTMENTS AT this
ASU Center. This is nothing but bait &
switch. If APARTMENTS were "CRITICAL"
they should have been in ORIGINAL PLAN.
This is another way to INCREASE TRAFFIC
& Pollution & Residents GAIN nothing. Who
gets the money ???

Technical Solutions • 3875 N. 44th Street #300 Phoenix, AZ 85018 • Phone: (602) 957-3434 • Fax: (602) 955-4505 • Email: info@technicalsolutionsaz.com

SkySong
Neighborhood Input Card

PRINT NAME

Paul F. Reich

ADDRESS

17831 E. Buena Vista Way Scottsdale ZIP 85258

PHONE

480-945-3994

EMAIL

22pfv@webtv.net

PLEASE TELL US YOUR THOUGHTS & SUGGESTIONS REGARDING THE PROPOSED PROJECT:

Individual parking space for each unit is inadequate
IE: what happens if owner has 1 car + 1 SUV or a boat
Storage capacity per unit is inadequate in units and garage area
Streets are two narrow when project is built out causing
congestion

Who will bear the costs associated with maintenance of the
street scrapes

Technical Solutions • 3875 N. 44th Street #300 Phoenix, AZ 85018 • Phone: (602) 957-3434 • Fax: (602) 955-4505 • Email: info@technicalolutionsaz.com

50%^{20's} efficient parking for retail spaces appears to be inadequate
on phase

SkySong
Neighborhood Input Card

PRINT NAME

Pam Sheppard

ADDRESS

425 N. Scottsdale Rd CITY Scottsdale ZIP 85021

PHONE

480-429-2250

EMAIL

jsheppard@scottsdalechamber.com

PLEASE TELL US YOUR THOUGHTS & SUGGESTIONS REGARDING THE PROPOSED PROJECT:

Support the project especially the
residential component

**SkySong
Neighborhood Input Card**

PRINT NAME CARY LEY

ADDRESS 2571 N. MILLER RD. CITY SCOTTSDALE ZIP 85257

PHONE (480) 947-9760 EMAIL caryley@gmail.com

PLEASE TELL US YOUR THOUGHTS & SUGGESTIONS REGARDING THE PROPOSED PROJECT:

SKY SONG RESIDENTIAL IS AN INTRINSIC ASPECT TO IMPROVE
THE QUALITY OF LIFE FOR THE AREA - A TRUE "JEWEL IN
THE CROWN" AS A GATEWAY TO SCOTTSDALE. THIS MUST BE
BUILT WITHOUT FURTHER DELAY.

Name:

Bob Draper

Question:

Recalling a Technology Center -

Not Dominated by
325 UP-SCALE

Apartments -

Also What about Apartments
on Bellevue?

Name:

Question:

HAS RESIDENTIAL ALWAYS BEEN INCLUDED?

WILL THIS CAUSE AN INCREASE IN TRAFFIC

IN SURROUNDING NEIGHBORHOOD?

WILL THIS IMPACT THE NATURE NEIGH.

BOEHOODS?

Name:

Paulene

Question:

Where are the rest ^{approx} (475)
of the houses going
to the over all map

Name:

Barbara Cawthorne

Question:

The parking structure -
In Boulder, CO, in
downtown they are
designed to look like
a commercial building with
windows. In no way
does it look like a
large parking garage.

Name: Paul Reich

Question:

How is parking
allocated for
residents and guests
and oversized vehicles
like SUV's -
How many spaces per
unit - is it the same for
2 and 3 units - Dedicated

Name: MARTHA STEPHENS

Question:

(1) Will there be underground
parking?

(2) Will the 325 units be "for
sale" or will they be
"for rent?"

Name:

TED GATES

Question:

The parking garage empties to the south and serves both the office building and residential - how do you propose to minimize the clustered traffic impact @ 5:00 pm during the week?

Name:

Bob

Question:

You don't want to make a "fortress" - but will the surrounding residents be able to use commercial parts of G.S. - Can we park? Access? Advertise to surrounding area?

Name: GARY

Question:

DEFINE "MARKET RATE"
RENTS.

Name: TONY

Question:

under the Fair housing Act—
How are you going to
keep ASU students from
renting an apartment?

Name: Lyle WURTZ

Question:

What happened to High Tech
and now we are talking ABOUT the
finalization of slumization FOR
SO Scotland. Why were people
lied to about what was
planned - Well ASO Walk away from
project if they don't set apartments

Name: A. Michaels

Question:

What per centage of the
residential units will be
universally accessible for
their residents and visitors?

Name: GARY

Question:

IF IT'S GOING TO BE
24/7 WILL THERE BE
A BAR?
A MOVIE THEATRE?

Name: Dean Sheppard

Question:

When will the residential
be completed?

Name: Terry Hanson, Seattledale

Question:

Understanding that homeowners usually
have a greater "stake" in the community,
are there plans to include townhouses,
lofts, or condos in the project? Applaud
your concept of 24/7 activity, and its
urban look of your design!

Name:

Question:

Sketches don't provide
height of buildings
Why isn't Residential
in the Lease at present
time? Why amendments NOW
Why would dorms be discuss-
ed with Doctorate + Master
students / Research + Development
Studies

Name: Emmett

Question:

is HWD involved
in this?

Name: ANTHONY J. LEAVY
7249 EBELLVIEW ST. SCOTTS.

Question:

I would like to know if
BELLVIEW ST. WILL REMAIN

Name: MILES McBRIDE

Question:

Will Phase III have
affordable housing for
low to moderate income
tenants?

Name:

Michelle Aubert

Question:

Why was residential use
excluded from the
original Ground Lease?
(Please provide a detailed
response)

Name:

Question:

What percentage of Sky-Song has
been leased so far? And what is the
number of companies that make up that percentage?
Will there be a large opening as shown in
the original presentation.

Name: JAY WERNIKOFF

Question:

WHAT IS THE HEIGHT OF
THE RESIDENTIAL UNIT?

Name:

Question:

1. There are 2 150,000 R.F. B-175 But 5-1000 H-1000S
Slide shows that they are identical to the 1000S.

Name:

Darlene

Question:

Discuss retail - Have
you have listed shops?

Name: Jim HEATHER

Question:

How can you "ensure
no dorm style living"
in retreats when HCLD
Does Not allow discrimination
restrictions except
specific set asides for
seniors (55+)

Name:

Question:

How much rent is ASU
paying for the Phase I/II
office space. They will be
renting? (leasing?) What will
be (or are) their lease terms?

Name: Barbara Cawthorne

Question:

I remember discussing the residential portion of Stysons. It was presented as a high-end (perhaps gated community) to raise property values. It was to be a small complex (about 200 units).

Name: Nettie Sacks

Question:

What part of the original open space diagram will be taken away from open public areas to allow for 325 apartments?

Name: PATTY BADENACH

Question:

quote: John Berry "Now that Sky Song
is a reality... we all want it to be a success"
We were all told that Sky Song will drive
the reinvestment of the surrounding
neighborhoods! To revitalize to replace the
"empty nesters". How will bringing in
condos facilitate that? What about the →

employed who have families? Live work
and play for whom. It is much more
conducive for children, families to have
yards neighborhoods... front porches.
The residential wrap-around ~~sounds~~ sounds more
like student housing.

Name:

(Santa Claus)
Bob Draper

Question:

What is The Market

Price in The Area

That These Apartments
Will be Rented for

What about dos Arcos
Methodist Church?

And Their Apartments?

King, Kristi

From: Roderique, David
Sent: Friday, June 23, 2006 7:49 AM
To: Littlefield, Robert
Cc: Gawf, Ed; Dolan, Jan
Subject: RE: SkySong Questions

First phase would be up to 325 units. They haven't figured out an exact number yet -- subject to design.

We are meeting all day with them today to try to iron out final details of the lease, including financial aspects. Will very likely be a reduction in the infrastructure cap plus potential sharing in profits. Will get specifics to you as soon as we have finalized.

Dave

From: Littlefield, Robert
Sent: Friday, June 23, 2006 7:33 AM
To: Gawf, Ed
Cc: Roderique, David
Subject: RE: SkySong Questions

How many units are proposed for the first phase (3.3 acres) -- I understood the number to be 325, is that correct?

Also what kind of modifications is ASUF proposing to the financial deal for the residential units?

From: Gawf, Ed
Sent: Thu 6/22/2006 5:45 PM
To: Littlefield, Robert; Roderique, David
Subject: RE: SkySong Questions

Bob, the building footprint for the residential area and the courtyards (minus the parking garage) = 3.3 acres. The quantity and area of additional residential units (per conceptual site plan dated 3/27/06) = 152 units on 1.3 acres. While the zoning code would allow 805 units, I don't think the developer every anticipated getting to that number. In regard to the second question, the answer is yes. The development can meet its required open space and still construct 1.2 million square feet of office and retail.

-----Original Message-----

From: Littlefield, Robert
Sent: Thursday, June 22, 2006 4:47 PM
To: Gawf, Ed; Roderique, David
Subject: SkySong Questions

Ed & Dave:

I have two questions about the proposed residential component at SkySong:

1. How much of the site's acreage will the apartments occupy, both for the initial 300 units and for the

06/26/2006

potential maximum of 825 units?

2. Steve Evans told me that building the apartments would not require any loss of office or retail space. When I asked him how this was possible he said that the apartments would be built on land that was previously planned as open space, but that this loss of open space would still leave the project within the open space requirements. Is this correct?

Have a nice day.

Bob Littlefield

King, Kristi

From: Manross, Mary
Sent: Tuesday, June 13, 2006 11:59 AM
To: Dolan, Jan; Gawf, Ed
Subject: FW: SkySong

-----Original Message-----

From: Harold Cope [mailto:deanbetty@msn.com]
Sent: Monday, June 12, 2006 4:21 AM
To: City Council; Jim.Gold@scottsdalerepublic.com; Michael.Ryan@scottsdalerepublic.com; Laurie.Roberts@scottsdalerepublic.com; Lesley.Wright@scottsdalerepublic.com
Subject: SkySong

Reviewing Scottsdale's web site for SkySong this morning I read thru 12 news releases from May 26, 2004 to December 13, 2005 and I did not find one mention of residential units at SkySong. I also reviewed 23 bulletins from August 26, 2004 to December 13, 2005 and did not find one mention of residential units at SkySong. Being early in the AM I may have missed something.

When use of space was mentioned it was given as 90% office space and 10% retail.

If residential units were planned from the beginning how come they were never mentioned????????

Why was it such a secret????????????????????

Sincerely;

Harold D. Cope
8225 East Plaza Avenue
Scottsdale, Arizona 85250
1-480-949-2694
deanbetty@msn.com

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King, Kristi

From: Andrea Michaels [madcap_thinkher@yahoo.com]
Sent: Monday, June 12, 2006 11:56 PM
To: Gawf, Ed; Don.Couvillion@asu.edu
Subject: Sky Song Residential plans - Neither the spirit nor the letter of ADA

Dear Ed,

I appreciated receiving the background material regarding the planned residential units at Sky Song. You know that I have been an enthusiastic proponent of mixed use, residential/commercial on and around that site and around Scottsdale for years.

The public meeting was the first time I had an opportunity to see what was planned, and although I had some concerns about the design, my public question about the "universal accessibility" of the residential units received at least a partially positive response to the effect that "the units will have elevators" and follow applicable codes. I was surprised that the respondent didn't understand "universal accessibility." I think you know that it refers to barrier-free accessibility for the "card-carrying" handicapped individuals who get special parking spaces, accessibility for people who are pushing strollers or pulling roll-a-boards, for people who aren't strong enough to open heavy doors, for people who have temporary or permanent problems with balance, for people who have limitations to their eyesight; for people who may be recovering from an operation, or dealing with an injury, as well as those who are permanently, physically disabled, etc., etc..

I did not think that the public meeting was the appropriate time to comment on the actual designs. There is *much* to like about them and about the project with a residential component. However, I am astonished and tremendously disappointed that *many* of the entries of units are not accessible for residents or visitors, and none have bathrooms that could even be modified for accessibility. Few of the closets, master bedrooms, baths, etc. are accessible. Every unit's front access to the external "neighborhood" and the interaction of the street are limited with stoops and what appears to be at least 6 steps.

Typically there is minimal additional cost to make either the exterior or the interiors of residences accessible. The war in Iraq is sending home more maimed and disabled soldiers than at any other time in American history. Our boomer generation is aging, but still in the work force, and still active although some are dealing with physical disabilities. Technology and ADA have made it possible for people, who in earlier generations would have been confined to their homes or institutions, to be integrated into the workforce regardless of their age. Technology and Title IX has made it possible for those persons with athletic interests and skills to compete in athletic contests, sometimes with or against people who don't have similar disabilities.

Scottsdale should be LEADING the way in demonstrating our commitment to universal accessibility in everything we're connected with, and *particularly* with Sky Song. The socially-conscious businesses who will be premier occupants of the offices shouldn't have restrictions on who is able to work or live in the area.

Why steps up to all the units? Why should those who want to live at Sky Song have to move out because they break their leg or have a mobility problem? The most popular toilet sold today is the "comfort height" toilet (the one that used to be called the ADA model?) Visitors should be able to park their cars, enter either the front door or the back door, and, at the very least, use the bathroom. The residential units should permit the friends and family of those who live and work at Sky Song to visit, have dinner, use the bathroom, etc.

06/26/2006

Ed, again, I am all in favor of residential units as part of the Sky Song project. It's terrific that the project has moved along so well. However, I would be among the first to call for a curtailment or a halt if the barrier-filled residential designs I've seen are those that will be built. I hope that you will urge the developers to go back to the drawing board and make appropriate changes.

Andrea Michaels, Member
Ad-Hoc Working Group

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<http://mail.yahoo.com>

King, Kristi

From: Andrea Michaels [madcap1@cox.net]
Sent: Monday, June 12, 2006 11:55 PM
To: Gawf, Ed; 'Don Couvillion'
Subject: Sky Song Residential plans - Neither the spirit nor the letter of ADA

Dear Ed,

I received the background material regarding the residential units at Sky Song. You know that I have been an enthusiastic proponent of mixed use, residential/commercial on and around that site and around Scottsdale for years.

The public meeting was the first time I had an opportunity to see what was planned, and although I had some concerns about the design, my public question about the "universal accessibility" of the residential units received at least a partially positive response to the effect that "the units will have elevators" and follow applicable codes. I was surprised that the respondent didn't understand "universal accessibility." I think you know that it refers to barrier-free accessibility for the "card-carrying" handicapped individuals who get special parking spaces, accessibility for people who are pushing strollers or pulling roll-a-boards, for people who aren't strong enough to open heavy doors, for people who have temporary or permanent problems with balance, for people who have limitations to their eyesight; for people who may be recovering from an operation, or dealing with an injury, as well as those who are permanently, physically disabled, etc., etc..

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The war in Iraq is sending home more maimed and disabled soldiers than at any other time in American history. Our boomer generation is aging, but still in the work force, and still active although some are dealing with physical disabilities. Technology and ADA have made it possible for people, who in earlier generations would have been confined to their homes or institutions, to be integrated into the workforce regardless of their age. Technology and Title IX has made it possible for those persons with athletic interests and skills to compete in athletic contests, sometimes with or against people who don't have similar disabilities. Typically there is minimal additional cost to make either the exterior or the interiors of residences accessible.

Scottsdale should be LEADING the way in demonstrating our commitment to universal accessibility in everything we're connected with, and *particularly* with Sky Song. The Ad Hoc group talked about the spirit as well as the letter of ADA as a guiding principle of the development. The socially-conscious businesses who will be premier occupants of the offices shouldn't experience restrictions on who is able to work or live in the area.

Why steps up to all the units? Why should those who want to live at Sky Song have to move out because they break their leg or have a mobility problem? Visitors should be able to park their cars, enter either the front door or the back door, and, at the very least, use the bathroom. The residential units should permit the friends and family of those who live and work at Sky Song to visit, have dinner, use the bathroom, etc. The most popular toilet sold today is the "comfort height" toilet (the one that used to be called the ADA model?)

Ed, again, I am all in favor of residential units as part of the Sky Song project. It's terrific that the project has moved along so well. However, I would be among the first to call for a curtailment or a halt if the barrier-filled residential designs I've seen are those that will be built. I hope that you will urge the developers to go back to the drawing board and make appropriate changes.

Andrea Michaels, Member
 Ad-Hoc Working Group

06/26/2006

King, Kristi

From: Manross, Mary
Sent: Monday, June 05, 2006 8:47 AM
To: Gawf, Ed
Cc: Dolan, Jan
Subject: Fw: More bait and switch

Sent from my BlackBerry Wireless Handheld

-----Original Message-----

From: Jack McVickers
To: Jack McVickers
Sent: Mon Jun 05 08:35:17 2006
Subject: More bait and switch

Dear Editor:

First it was to be a center to spawn start-up companies that would be based on technology developed in the laboratories of ASU. "NO; Absolutely NO! It will NOT become a simple "office park" as our detractors are saying". That was the initial bait.

What do we see now?

First it is the switch to GOOGLE, one of the largest companies in the world and certainly not one springing from the loins of an ASU laboratory needing "investment" from the taxpayers of Scottsdale to assure its success. GOOGLE is simply looking for suitable office space at the lowest price they can find. With no large number of start-up companies coming out of the ASU laboratories as originally promised, GOOGLE is being dressed up to look like an emerging high tech company in need of subsidized space "near the university".

With a dearth of ASU start-up companies, the next switch we see is the "SUDDENLY-CRITICAL" addition of 800 apartments in need of tax-payer "investment" in the private housing market.

One would have thought that all of the CRITICAL things required to complete the "VISION" of SkySong had now all been exposed to the light of day. But no! This morning we see another switch. This time it is a need for the taxpayers to invest in the private-sector hotel business.

What else will emerge during the remaining 196 years of this non-revenue-generating 130 million dollars investment of the taxpayer's money in the private sector? Our great-great-great-great-grandchildren had better stay alert.

Jack C. McVickers
9642 E. Windrose Drive
Scottsdale, AZ 85260-4609
480-391-3914
jmcv3@cox.net

"I believe there are more instances of the abridgment of the rights of the people by the gradual and silent encroachments of those in power than by violent and sudden usurpations. James Madison

King, Kristi

From: Manross, Mary
Sent: Monday, June 05, 2006 8:46 AM
To: Gawf, Ed
Cc: Dolan, Jan
Subject: Fw: Los Arcos

Sent from my BlackBerry Wireless Handheld

-----Original Message-----

From: Dap0804@aol.com
To: Manross, Mary; Drake, Betty; Ecton, Wayne; Lane, Jim; Littlefield, Robert; McCullagh, Ron; Osterman, Kevin; redbirdbranch@earthlink.net
Sent: Mon Jun 05 07:23:31 2006
Subject: Los Arcos

Good Mornning,

The property is too expensive to put any kind of housing. Fashion Sq., Pavilions do not have housing. In a presentation that Ed Gawf gave he pointed to housing all around on Scottsdale Rd. No, this was going to be "High End Research." Table this until the you come back from summer hiatus. If this depends on housing to work that is a bad omen. Darlene

King, Kristi

From: Manross, Mary
Sent: Wednesday, May 31, 2006 5:21 PM
To: Gawf, Ed
Subject: Fw: SkySong ASU Apartments

Sent from my BlackBerry Wireless Handheld

-----Original Message-----

From: stuartk@housingaz.com
To: City Council
Sent: Wed May 31 14:03:42 2006
Subject: SkySong ASU Apartments

Contact Information (if blank, user did not provide):

Name: Stuart Kritzer
Address: 6744 E Holly,
C/S/Z: Scottsdale, az 85257
Phone: 602 771-1064

MESSAGE:

Dear Scottsdale Council: I have attended several SkySong planning meetings and tried to closely follow the developments pertaining to the revitalization of South Scottsdale. As a result, my wife and I purchased a home nearby and have completed an extensive remodel in anticipation of the city's revitalization efforts in this area. After living in the area for a while, we feel that one of the major detractors of South Scottsdale is the high concentration of rental properties. More worrisome is that we recently heard that SkySong is planning on "accelerating the plan" and adding 800 rental units to the project. First, I do not recall any plans or renderings depicting large rental components of the project. Second, I never heard any mention of 800 rental units during the meetings I attended. It was always touted as 90% hi-tech commercial with some retail space. Moreover, although there has been significant condo conversion activity in Scottsdale, according to 1/QTR 2006 RealData, South Scottsdale still has over 7,500 rental units! In addition, I think the SkySong with its ASU connection would be viewed as a dorm, thus attracting a very high proportion of students, which means disproportional traffic impact, trash and no sense of ownership whatsoever. Altogether, this use would detract from and retard the revitalization of the area. Therefore, the proposed use should be eliminated at best or minimized at worst. If not eliminated, it should be delayed until the final phase. Please advise what steps can be taken to prevent the commercial revitalization from being choked off before establishing a foothold. Sincerely, Stuart Kritzer

This message was generated from the following web page:
<http://www.scottsdaleaz.gov/default.asp>

King, Kristi

From: Manross, Mary
Sent: Wednesday, May 31, 2006 9:25 AM
To: Gawf, Ed
Subject: FW: Prop. 402

-----Original Message-----

From: deanbetty@msn.com [mailto:deanbetty@msn.com]
Sent: Monday, May 15, 2006 5:16 AM
To: Manross, Mary
Subject: Prop. 402

Contact Information (if blank, user did not provide):

Name: Harold Cope
Address: 8225 East Plaza Avenue,
C/S/Z: Scottsdale, AZ. 85250
Phone: 1-480-949-2694

MESSAGE:

Thank you for your call the other day. My wife and I have decided to vote for 402 but will still vote for councilman Littlefield. If SkySong is given permission to build 800 apartments and then request to sell them as condos they could gross 300 million or more. Where would that money go??Thank you.Sincerely;Harold D. Cope

This message was generated from the following web page:
http://www.scottsdaleaz.gov/council/bios/Mary_Manross.asp

King, Kristi

From: Gawf, Ed
Sent: Wednesday, May 31, 2006 8:49 AM
To: King, Kristi; Ekblaw, Kroy; Roderique, David
Subject: FW: Support for Mixed Use Residential/Retail at Sky Song

-----Original Message-----

From: Manross, Mary
Sent: Wednesday, May 31, 2006 8:28 AM
To: Dolan, Jan
Cc: Gawf, Ed
Subject: Fw: Support for Mixed Use Residential/Retail at Sky Song

Sent from my BlackBerry Wireless Handheld

-----Original Message-----

From: WebSiteUser@scottsdaleaz.gov
To: City Council
Sent: Tue May 30 16:41:23 2006
Subject: Support for Mixed Use Residential/Retail at Sky Song

Contact Information (if blank, user did not provide):

Name: Andrea Michaels
Address: 6700 E. Thomas Rd. 71B,
C/S/Z: Scottsdale, AZ 85251
Phone: 480-609-3901

MESSAGE:

I am a homeowner in Scottsdale and feel that there is an outstanding opportunity available not only to heighten the attraction of Sky Song to new business creative, high tech, retail, and services, but also to attract the people who would work at Sky Song and those who are interested in a Kierland-type, active community with mixed-use residential/retail units. The newspapers have highlighted the view of a few detractors who don't realize that mixed use units residential and retail/commercial are among the most popular living situations across the country. Although the ASU Foundation has described the proposed residential units as market-priced, couldn't those residential units could be designed and constructed so that at least a portion are available for teachers, police, fire personnel, and health care professionals that the City of Scottsdale, Scottsdale Healthcare and the Scottsdale Unified School District wants to retain and/or attract? Could those units include a provision for discounts or other incentives for Scottsdale teachers, police, fire-fighters, nurses, etc.?

This message was generated from the following web page:
<http://www.scottsdaleaz.gov/default.asp>

King, Kristi

From: Drake, Betty
Sent: Tuesday, May 30, 2006 1:20 PM
To: Dolan, Jan; Littlefield, Robert
Cc: City Council; Stockwell, Brent; Gawf, Ed; Robberson, Deborah; Jagger, Carolyn
Subject: RE: Residential At Skysong

Jan, Bob, Ed...

Glad to see the meeting is in the works, per my suggestion the day the residential proposal was first mentioned. Bob, glad to see you're on the bus. I wholeheartedly agree with your comments.

BD

-----Original Message-----

From: Dolan, Jan
Sent: Tuesday, May 30, 2006 10:25 AM
To: Littlefield, Robert
Cc: City Council; Stockwell, Brent; Gawf, Ed; Robberson, Deborah; Jagger, Carolyn
Subject: RE: Residential At Skysong

Bob:

Ed and I discussed a meeting of the Ad-Hoc Citizens Advisory Working Group last week and he intends to start calling all the members today to discuss the proposal and their availability for a meeting.

Jan

Jan Dolan
City Manager
3939 N. Drinkwater Blvd.
Scottsdale, AZ 85251
480.312.2422
www.ScottsdaleAZ.gov

-----Original Message-----

From: Littlefield, Robert
Sent: Saturday, May 27, 2006 4:09 PM
To: Dolan, Jan
Cc: Collins, Lisa
Subject: Residential At Skysong

Jan:

Please have staff arrange a meeting of the ASU Scottsdale Center for New Technology and Innovation Ad-Hoc Citizens Advisory Working Group ASAP. The purpose of this meeting will be to have ASU Foundation, Higgins Development Partners and The Plaza Companies present their request for lease modification to the Ad-Hoc Citizens Advisory Working Group so that the Group can consider this request and provide the City Council with their input before we vote on this request.

I also believe that the Ad-Hoc Citizens Advisory Working Group would be the best vehicle for collecting input from the neighbors and other affected stakeholders on whether or not the Council should approve the requested lease modification.

Bob Littlefield

King, Kristi

From: Dolan, Jan
Sent: Tuesday, May 30, 2006 8:36 AM
To: Gawf, Ed
Subject: FW: SkySong

Follow Up Flag: Follow up
Due By: Wednesday, May 31, 2006 8:33 AM
Flag Status: Flagged

please respond

Jan Dolan
City Manager
3939 N. Drinkwater Blvd.
Scottsdale, AZ 85251
480.312.2422
www.ScottsdaleAZ.gov

-----Original Message-----

From: Manross, Mary
Sent: Monday, May 29, 2006 3:47 PM
To: Dolan, Jan
Cc: Roderique, David
Subject: Fw: SkySong

Sent from my BlackBerry Wireless Handheld

-----Original Message-----

From: Harold Cope
To: City Council; ne.letters@scottsdalerepublic.com
Sent: Mon May 29 09:32:37 2006
Subject: SkySong

I have found the SkySong web site and it paints a beautiful picture of what SkySong could be.

In addressing residential plans they use the term " market rate housing" not market rate rental apartments. Are they planning to build housing to rent or housing to sell????

Their web site provides several contacts for info on leasing space for R and D and office and business but nothing about residential.

Sincerely;

Harold D. Cope
8225 East Plaza Avenue
Scottsdale, Arizona 85250
1-480-949-2694
deanbetty@msn.com

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<http://messenger.msn.click-url.com/go/onm00200471ave/direct/01/>

King, Kristi

From: Valerie VanAuker [Valerie@theplazaco.com]
Sent: Thursday, May 25, 2006 12:10 PM
To: Ekblaw, Kroy; gtodd@toddassoc.com
Cc: Sharon Harper; Gawf, Ed
Subject: SkySong - DRB Submittal Friday
Importance: High

As you know, we did not want to submit the residential DRB until 4:00 pm on Friday. When I was coordinating the check for the DRB submittal, I learned that right now Todd and Associates has an appointment for 2:00 pm on Friday. Can you assist with adjusting the scheduled time from 2:00 pm to 4:00 pm? Please advise. Thank you.

Valerie VanAuker
Executive Assistant to Sharon Harper
President and CEO
The Plaza Companies

9401 W. Thunderbird Road, Suite 200
Peoria, AZ 85381
(623) 972-1184 phone
(623) 972-5554 fax
valerie@theplazaco.com

King, Kristi

From: FELDEX@aol.com

Sent: Wednesday, May 24, 2006 5:55 PM

To: Gawf, Ed

Subject: Fwd: Good morning

Notice Darlene can never give you an answer - What is it you want to see.....She never says - Just a list of what she doesn't want. It gets old.

*Lisa
Haskell*

King, Kristi

From: Ekblaw, Kroy
Sent: Wednesday, May 24, 2006 1:23 PM
To: Steve Evans (E-mail); John Berry (E-mail); Tom Samuels (E-mail); Sharon Harper (E-mail); Don Couvillion (E-mail); Gary Todd (E-mail); Stan Lusardi (E-mail); Matthew Pridemore (E-mail)
Cc: Gawf, Ed; Roderique, David
Subject: Skysong meetings at 9am Thursday

Just a quick reminder that we will be meeting at 9am tomorrow in the 3rd floor conference room.
From 9 -9:30 we can discuss lease and general communication status.
At 9:30 we will be discussing the open house for next wednesday the 31st.
At 10 we will be meeting with regards to the residential design and DRB submittal status.

Please let me know if you have any questions, thx, kroy

King, Kristi

From: Dap0804@aol.com
Sent: Wednesday, May 24, 2006 12:22 PM
To: FELDEX@aol.com
Subject: Re: Good morning

Littlefield had nothing to do with this. Darlene

In a message dated 5/24/06 10:46:09 AM US Mountain Standard Time, FELDEX writes:

*Lisa
Haskell*

<< itting here with more pawn shops and undesirable businesses. So aside from retail I think you guys need to come up with a vision for the area instead of giving a laundry list of things you don't want - Business owner s down here told me they need something to bring more businesses down here because right now noone wants to move their business next to a pawn shop /check cashing store etc.....If you guys don't stop fighting everything we will be left with nothing which is what we have now. I know Littlefield likes to stir up folks but he does not have to live down here..... >>

King, Kristi

From: Dap0804@aol.com
Sent: Wednesday, May 24, 2006 9:41 AM
To: Marbak@cox.net; bruceasteele@earthlink.net; citar@msn.com; corinnet@cox.net; McFarland100@msn.com; timmonty@phxcoxmail.com; sgsman@worldnet.att.net; strange2@cox.net; RAN26385@msn.com; michelleaubert@cox.net; Dap0804@aol.com
Subject: Good morning

It is important that as many as possible attend this meeting. Please send to your groups whether you believe this is right or not. I think the new idea of housing before retail is wrong. Darlene

Open House Set May 31 on SkySong Future Phase Development
Developers of SkySong, the ASU Scottsdale Innovation Center, will host an open house May 31 from 5:30 to 7 p.m. at the Community Design Studio, 7506 E. Indian School Road, to present conceptual plans for Phase III of the project. The approved site plan calls for 1.2 million square feet of research, office and retail uses. Phase III consists of a residential component and a parking structure. The SkySong development team includes Higgins Development Partners and The Plaza Companies as co-developers in partnership with the Arizona State University Foundation and USAA Real Estate Company. At the open house, project representatives will preview updated site plans, provide a progress report on current construction and provide information about future public hearings and solicit input on the proposed third phase site plans.
In addition, from 6 to 6:30 p.m. project representatives will make a 30-minute presentation and be available to answer questions throughout the meeting. Mixed-use zoning was approved for the site on June 21, 2005, and allows a variety of residential types. The City Council will consider a lease amendment for inclusion of residential on the site at a future date. As is the case with all phases of SkySong, the third phase will require Development Review Board review and approval. To view the SkySong rezoning fact sheet, visit:
<http://eservices.scottsdaleaz.gov/cases/casesheet.aspx?caseid=28605>
Additional SkySong project information is available on-line at:
<http://www.scottsdaleaz.gov/ASUScottsdale/Default.asp>

Roderique, David

From: Gawf, Ed
Sent: Monday, May 22, 2006 9:02 AM
To: Roderique, David; Ekblaw, Kroy
Subject: FW: SkySong-Apartments for rent or condos for sale???

-----Original Message-----

From: Manross, Mary
Sent: Sunday, May 21, 2006 11:55 AM
To: Dolan, Jan
Cc: Gawf, Ed
Subject: Fw: SkySong-Apartments for rent or condos for sale???

Sent from my BlackBerry Wireless Handheld

-----Original Message-----

From: Harold Cope
To: City Council; Jim.Gold@scottsdalerepublic.com; Laurie.Roberts@scottsdalerepublic.com; Lesley.Wright@scottsdalerepublic.com; Michael.Ryan@scottsdalerepublic.com
Sent: Sun May 21 04:36:12 2006
Subject: SkySong-Apartments for rent or condos for sale???

My guess is there will not be apartments for rent at SkySong but condos for sale at a high price. I suspect there is, already, in place, a time line project to sell condos providing a cash cow for whom???? Certainly not the citizens of Scottsdale.

The first order of business will be to obtain approval from the Scottsdale City Council to build 800 apartments. Once that approval is obtained an announcement will be made to develop and sell the apartments as condos.

My projection is based on the following:

1. Developments in Tempe, Edgewater, Bridgeview, Onyx and Northshore are selling condos for \$500,000. to \$2,000,000.;
2. The Camelview Condos across from Fashion Square are selling for \$500,000. upwards of \$2,000,000.;
3. The intersection of Scottsdale Road and McDowell Road, location of SkySong, will become the pivot point for a light rail system downtown Phoenix-Scottsdale-ASU/Tempe; and
4. Based on the prices of the condos in Tempe and Camelview Scottsdale SkySong condos could also go for \$500,000. upwards of \$2,000,000. bringing in a conservative \$600,000,000. to the developers.

The developers of SkySong claim the original agreement, signed by the Scottsdale City Council, provided for 300 plus apartments at SkySong. Some members of the city council have indicated that was not their understanding,

I believe the Scottsdale City Council should consider the following before approving any changes to the original agreement:

1. Approving 800 residential units for SkySong could mean 3,000 or more residents and 1600 vehicles. Where would 1600 vehicles be parked?;

2. Obtain input from the residents of the area;
3. Enforce the current agreement as is;
4. Approve apartments with deed restrictions and explicit agreements that should the apartments ever be converted to condos for sale then Scottsdale should be, upfront, reimbursed for it's total investment in SkySong with reasonable interest and no tax breaks for SkySong; or
5. Approve condo development for SkySong with Scottsdale being totally reimbursed, up front, for it's investment in SkySong and no tax breaks.

Harold D. Cope
8225 east plaza Avenue
Scottsdale, Arizona 85250
1-480-949-2694
deanbetty@msn.com

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King, Kristi

From: Dolan, Jan
Sent: Monday, May 22, 2006 8:36 AM
To: Gawf, Ed
Subject: Fw: SkySong-Apartments for rent or condos for sale???

Jan Dolan
City Manager
Scottsdale, AZ 85260
480.312.2422
www.scottsdaleaz.gov

Sent from my BlackBerry Wireless Handheld

-----Original Message-----

From: Ecton, Wayne
To: Dolan, Jan
CC: Stockwell, Brent
Sent: Mon May 22 08:35:19 2006
Subject: FW: SkySong-Apartments for rent or condos for sale???

FYI

-----Original Message-----

From: Harold Cope [mailto:deanbetty@msn.com]
Sent: Monday, May 22, 2006 8:30 AM
To: Ecton, Wayne
Subject: RE: SkySong-Apartments for rent or condos for sale???

Wayne

Thank you for your reply. I learn something new each day.

Harold d. Cope

>From: "Ecton, Wayne" <wecton@scottsdaleaz.gov>
>To: "Harold Cope" <deanbetty@msn.com>
>Subject: RE: SkySong-Apartments for rent or condos for sale???
>Date: Mon, 22 May 2006 08:26:59 -0700

>
>Thanks for your e-mail. They can never be for sale because the land is
>still owned by Scottsdale and you can't plat condos or for sale product on
>leased land.

>
>Councilman Ecton

>
>
>-----Original Message-----

>From: Harold Cope [mailto:deanbetty@msn.com]
>Sent: Sunday, May 21, 2006 4:36 AM
>To: City Council; Jim.Gold@scottsdalerepublic.com;
>Laurie.Roberts@scottsdalerepublic.com;
>Lesley.Wright@scottsdalerepublic.com;
>Michael.Ryan@scottsdalerepublic.com
>Subject: SkySong-Apartments for rent or condos for sale???

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>
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>Scottsdale
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> 5. Approve condo development for SkySong with Scottsdale being
>totally
>reimbursed, up front, for it's investment in SkySong and no tax breaks.

>
>Harold D. Cope
>8225 east plaza Avenue
>Scottsdale, Arizona 85250
>1-480-949-2694
>deanbetty@msn.com

>
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King, Kristi

From: Manross, Mary
Sent: Sunday, May 21, 2006 11:55 AM
To: Dolan, Jan
Cc: Gawf, Ed
Subject: Fw: SkySong-Apartments for rent or condos for sale???

Sent from my BlackBerry Wireless Handheld

-----Original Message-----

From: Harold Cope
To: City Council; Jim.Gold@scottsdalerepublic.com; Laurie.Roberts@scottsdalerepublic.com; Lesley.Wright@scottsdalerepublic.com; Michael.Ryan@scottsdalerepublic.com
Sent: Sun May 21 04:36:12 2006
Subject: SkySong-Apartments for rent or condos for sale???

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deanbetty@msn.com

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<http://messenger.msn.click-url.com/go/onm00200471ave/direct/01/>

King, Kristi

From: jprsh [jprsh@cox.net]
Sent: Thursday, May 18, 2006 5:31 PM
To: Gawf, Ed
Subject: you've screwed it up

Ed, Lord almighty where if at all present is everyone's mind gone off to??
And why in heavens name did we even bother to sit down with Steve and Susan?? Nancy is every bit as p---ed of right now as I am. And I am indeed red without the need for war paint.
And which insane person put out an all hands call via Shannon Wallace for a "you all come" on May 31st for a discussion of how the new SkySong is going to have housing on it?
If I didn't know better I would think this was your idea-but I just can't see you putting this kind of loaded cannon to your head. And the plant pieces in the YTrib are not going to sooth these troubled waters but will indeed create a mighty stormy sea.
This is/was/and is indeed the wrong moves, and as for a all hands talk the wrong move, wrong venue, wrong idea and a great way to start WW3. Sadly me thinks "you all ain't seen nothing yet" on this issue.
Moses wouldn't even have tried to part this sea-G-d or no G-d and this can of worms is going to explode on all of you, mark my words and pity the ASUF and all of the let us reason together stuff at this point. Rita

06/01/2006

Roderique, David

From: Manross, Mary
Sent: Thursday, May 18, 2006 4:10 PM
To: Dolan, Jan; Roderique, David
Subject: FW: Elections

-----Original Message-----

From: f8713@aol.com [mailto:f8713@aol.com]
Sent: Wednesday, May 17, 2006 6:34 AM
To: City Council
Subject: Elections

"Voters apparently decided to shake up the city's leadership by handing Councilman Bob Littlefield a close victory in Tuesday's runoff election over Councilman Kevin Osterman."

Well, it appears that Manross could not pull this one out of her hat and it is a hopeful sign that residents are tired and disgusted with how the city acts to many things, especially when it comes to development issues and wasting our tax dollars.

Lets remember that when people start trying to decide what they should vote for when it comes to residential on Sky Song, our input was ignored in the building designs which looks like crap and we now have this big pair of diapers that will float over the site.

Residents made it clear we wanted no residential on the site as well as other certain types of businesses and we got them in that lease the city passed, we expect the council to honor our requests and not allow residential on the site.

Mike

Roderique, David

From: Manross, Mary
Sent: Thursday, May 18, 2006 4:06 PM
To: Dolan, Jan; Roderique, David
Subject: FW: A wake up vote
Importance: High

-----Original Message-----

From: John W. Greco [mailto:jgreco22@cox.net]
Sent: Wednesday, May 17, 2006 6:31 AM
To: Arizona Republic
Cc: City Council
Subject: A wake up vote
Importance: High

Editor: The re-election of Bob Littlefield sends a message to Mayor Manross and the rest of the Council that business as usual is not acceptable to many voters. That same message was contained in the Proposition 402 vote where approximately 7,700 voters said no to what should have and could have been a nearly unanimous yes vote. City Hall needs to mend its ways.

Big budget supplements to the private sector, as well as to partnerships such as SkySong, become perceived as give-a-ways unless there is a clear win that can be communicated to and accepted by Scottsdale voters. Voters want accountability. They want important issues dealt with openly and reasonably. That's the message sent by the voters. The Mayor and Council need to pay closer attention and do a better job.

John W Greco
Scottsdale, AZ

Roderique, David

From: Dolan, Jan
Sent: Thursday, May 18, 2006 1:56 PM
To: Roderique, David
Subject: FW: OK, Now that the Election is over can we please get down to business?

Follow Up Flag: Follow up
Due By: Friday, May 19, 2006 12:25 PM
Flag Status: Flagged

Jan Dolan
City Manager
3939 N. Drinkwater Blvd.
Scottsdale, AZ 85251
480.312.2422
www.ScottsdaleAZ.gov

-----Original Message-----

From: Manross, Mary
Sent: Thursday, May 18, 2006 12:25 PM
To: Dolan, Jan
Cc: Gawf, Ed
Subject: Fw: OK, Now that the Election is over can we please get down to business?

Sent from my BlackBerry Wireless Handheld

-----Original Message-----

From: f8713@aol.com
To: jprsh@cox.net; nancyanncantor@cox.net; City Council
CC: redbirdbranch@earthlink.net; SAMW1222@aol.com; laurie.roberts@scottsdalerepublic.com; fixscottsdale@hotmail.com; JDerouin@steptoe.com; AZPFR@webtv.net; Nnesvig4scc@aol.com; lwhitehead@cox.net; Dap0804@aol.com
Sent: Thu May 18 11:44:09 2006
Subject: Re: OK, Now that the Election is over can we please get down to business?

Well Rita, here is my last input into this issue.

When I converted the city GIF. file to my memory stick and then converted it to a word document I have come up 12 pages short of the original city version and parts of language are missing from all over it. I have since gone back to my original version of the city and can find nothing related to housing period.

I am not going to get involved in this anylonger because staff has no planning for the area nor do they give a crap about the residents of the area and soon they will turn it into the same mess as downtown because all Dolan and staff can do is piece meal this city to death. They will submit there recomendation to the council and the council will blindly follow staff other than maybe Betty and Tony.

Dropping over 1200 residents into the area and maybe even more in the future, in the already dense community settings the Southern Section of the city has is shear madness and will result in ramifications to all

of us who live near the site. We are already seeing the site plans, center character, and the scope of what this project was supposed to be balloon out of control and out of whack.

Maybe after the project obtains more criticism like it has already recieved from the architecture and the diapers floating in the air, the city may understand or get a clue as to what we have been talking about, but by then the site will have already gotten out of control of what we were told and what was actually planned.

I am going on vacation.....LOL

Mike

-----Original Message-----

From: jprsh <jprsh@cox.net>

To: nancy cantor <nancyanncantor@cox.net>; f8713@aol.com;

CityCouncil@scottsdaleaz.gov

Cc: redbirdbranch@earthlink.net; SAMW1222@aol.com;

laurie.roberts@scottsdalerepublic.com; fixscottsdale@hotmail.com;

JDerouin@steptoe.com; AZPFR@webtv.net; Nnesvig4scc@aol.com;

lwhitehead@cox.net; Dap0804@aol.com

Sent: Thu, 18 May 2006 10:55:06 -0700

Subject: OK, Now that the Election is over can we please get down to business?

Dear Nancy,

Amen! dear sister in voice.

It sure gets (as you know) cold being the only canary in the mine that gets printed on SkySong objections and being accused by some of folding the gun into storage after one barrage.

I know that you know better Nancy, although everyone else doesn't.

Why? Well we still need that AdHoc Meeting sworn to occur this week and has not come to fruition. I still need answers to the phrase "it's in the lease"-not! and not so until and unless the city Kiva group change the rules.

I know I am still a hard head on this issue and if I were from Missouri it would be "show me" time. I have not yet found in the lease papers, in vivid 'BLACK & WHITE', but only by inference. It isn't even that Susan and Steve were unreasonable in their approach to us last weekend, but the SkySong people still haven't been consulted nor the neighbors who surround the area, as to what is a consensus on the changes, and to dog a point to death, it still isn't in the lease!

I am not saying that some rental of reasonable rate would not have a place around here-but don't see any guarantees or warranties that spell it out either in the on site or off site projects being waved around. And I don't have to live below McDowell to know that the neighborhood isn't yet in the loop on any of this.

Nor do I see or hear potential overcrowding of the area streets being addressed yet, nor any cooperative effort to fulfill the vision of the AdHoc Group of community working together with the city to assure among other things the interconnection of the area to the green belt as being a priority and being dedicated per say by all participants and on paper for walkers, bike riders, etc.

What the heck ever happened to words like sustainable, affordable, set asides, caring, partnerships, livability, welcoming, inclusionary, being part of a larger neighborhood and on and on in adfinitum.

Shucks, I do understand what the folks on the Los Arcos Crossing were talking about just as I do understand the Foundations need to create a more complete package offering to potential lessees (and by the way isn't the city paying for the surface parking-yes or no? and for heavens sake when do we start working this as it should be and NOT as specific groups "want it to be" and blast the needs and concerns of those not within their vision circles?

Sorry to unload and it has definitely been a side show morning and was up way too late last night squinting at lines of type on documents and vision plans. Rita

PS: If any of you have input would be glad to hear it.

----- Original Message -----

From: nancy cantor

To: f8713@aol.com ; CityCouncil@scottsdaleaz.gov

Cc: redbirdbranch@earthlink.net ; SAMW1222@aol.com ;
laurie.roberts@scottsdalerepublic.com ; fixscottsdale@hotmail.com ;
JDerouin@steptoe.com ; AZPFR@webtv.net ; Nnesvig4scc@aol.com ;
jprsh@cox.net ; lwhitehead@cox.net ; Dap0804@aol.com

Sent: Thursday, May 18, 2006 10:12 AM

Subject: Re: Election results

MICHAEL!!!!

No sitting back! If we want redevelopment, I think it is obvious, we need to be up front, out there and talking, talking, talking. We can only hope that all of the electeds understand this and the doors at City Hall will at least be unlocked.

Hopefully, they will feel free to initiate dialogue and not think because we aren't the first ones on the phone, the email or the Kiva floor, that everything is A-OK.

Smart Growth revisions have just taken place and Scottsdale had representation at the table. We need to know what was discussed and how it applies to Scottsdale.

The Village concept needs to be seriously examined, NOW. That will help the community voice to be heard and perhaps solve problems that tend to go unnoticed.

If we are going to solve problems we need to be able to create new ways to deal with them.

YOU CAN'T SIT DOWN.....I CAN'T SIT DOWN....UP..UP..UP..GOT WORK TO DO

Nancy

----- f8713@aol.com wrote:

>Well Kevin, I cannot say I am sad to see you go however you made more
>enemies than you did friends with us so called vigilanties and it took
>a lot of help to get your votes where they ended up. Your still a good
>person, just not a good council candidate.

>

>Now we have a council that is not so willing to just ignore residentail
>concerns about planning and development and we hope we see the new
>council make up listen to the residents and the first test will be
>"will you or will you not allow residential in what was always billed
>as a research center, not a housing complex". We hope you will start to
>really understand the effects of slamming all these people into the
>city core with no planning for the impacts such as the issue again with
>the city and ASU proposing the possability of dumping over 1200
>residents into our neighborhoods before you even complete the
>transportation master plan.

>

>We hope Betty can feel free enough now to start talking about the
>village planning committee and possibly get the council to understand
>the need for another look into the way outdated and useless "downtown
>plan".

>

>Maybe we can get enough of you to now realize the issue of the downtown
>bars and quality over quantity approach to maintaining an active night
>life for downtown.

>

>Yep, we also hope you can control the "silly" spending in this city and
>outlaw round abouts, who knows, maybe you can even put the clamps on

>Dolan and O'Conner and some of their misguided plans for the city.
>
>What I really hope is that many of us vigilanties can now breath a sigh
>of relief and trust the new council make up to start making the right
>choices and we can all take a rest from having to come down to city
>hall to gripe to you about things...
>
>Ahhhh, the thought of a vacation from the city overwhelms me.....
>
>Regards and good luck,
>
>Mike Merrill

Roderique, David

From: Keagy, Raun
Sent: Wednesday, May 17, 2006 12:57 PM
To: Stewart, Harold
Cc: Roderique, David; Gawf, Ed; King, Kristi
Subject: RE: Nancy Cantor

Hi Harold,

The NOV was issued to C & H PROPERTIES II LLC, the owners of record for the Bashas site.

It appears that Nancy may have combined the "wrecked vehicle " issue on the fenced storage area with the "trash & debris" issue on the Bashas site.

Our Inspector also did not note any "potential fire hazards."

So, let's let the NOV on the Bashas site run its course and if you contact Heard for the wrecked vehicle and the trash outside their fence I think we are good to go.

I called Nancy to make sure we are all on the same page--and we are!

Thanks, Raun

-----Original Message-----

From: Stewart, Harold
Sent: Wednesday, May 17, 2006 12:31 PM
To: Keagy, Raun
Cc: Roderique, David; Gawf, Ed
Subject: RE: Nancy Cantor

Raun -

Was the 10 day notice issued to Heard or to the Basha's owner?

I drove by the storage area late this morning and stuck my head over the fence. I did see the one wrecked vehicle - a Jeep. The trash that I saw was either on the Los Arcos Crossing property or in the case of east side of the fenced car storage area appeared to have been dumped at the site. The trash on the eastside look like a wooden drawer and other retail business throwaways.

As far as Ms. Cantor's note about fire hazards, I didn't see anything connected with Heard or along the fence that appeared to be a concentration of materials that might be a fire hazard. The fencing is surrounded for the most part by oleanders which appear to be green and thriving. I didn't see much in the way of dead plants. If the inspector, did let me know. I'm not sure where she saw a concentration of weeds, at least on or around the Heard storage area.

I can contact Howard Herman at Heard Chevrolet and ask him to remove the wrecked Jeep and have his maintenance staff go around the outside of the fence to pick up trash.

Harold

From: Keagy, Raun
Sent: Wednesday, May 17, 2006 11:02 AM

To: Roderique, David; Stewart, Harold; Gawf, Ed
Cc: King, Kristi
Subject: RE: Nancy Cantor

We have already issued a 10 day NOV on 5/9/06 for trash, debris, boxes and weeds for the area directly behind Bashas.

The Inspector just went by the property to the south (the holding area for the vehicles) and there is one obviously wrecked vehicle that is visible from the street (along with the new vehicles).

Harold, do you want to contact Heard regarding the wrecked vehicle?

Raun

-----Original Message-----

From: King, Kristi
Sent: Wednesday, May 17, 2006 10:15 AM
To: Keagy, Raun; Roderique, David
Subject: Nancy Cantor

Nancy called this morning regarding the Heard Chevrolet cars parked behind Basha's on McDowell. She said there are new cars, wrecked cars, weeds and potential fire hazards and it appears no one is looking after this area.

Raun - Ed asked that you check this out for code violations etc.

Dave - Ed asked that you call Heard Chevrolet for any information you can get on this situation...

and please let Ed know of your findings...

thanks!

Kristi

ps: Nancy's number is 480-516-4666 in case you need to call her...

Roderique, David

From: nancy cantor [nancyanncantor@cox.net]
Sent: Tuesday, May 16, 2006 2:40 PM
To: Roderique, David
Subject: RE: Re SkySong and Los Arcos Crossing

Thank you David.....I appreciate the info and I will check the website you have given me plenty to work with.

Nancy

----- "Roderique wrote:

> Nancy --

> I can get you a copy of the lease if you don't already have one, or you can pull it off the City's website.

>

> Unfortunately there really isn't clarity regarding the residential issue. I think both sides could make compelling arguments either for or against, based on the language in the lease. Obviously I'm not an attorney, but some of the specific language (with my comments in parenthesis) includes:

>

> 3.1(b) Permitted Use. Subject to limitations set forth in the Center Criteria (basically the language about the center's overall character), and further subject to the limitations set forth in Section 3.1(d) below (basically the list of non-desirable uses like pawn shops, adult uses, check cashing), Tenant shall be entitled to use the Premises for any retail, office, or other use permitted by applicable laws, including, without limitation, the applicable zoning classification of the Premises (while residential is not specifically spelled out, it is a permitted use in the zoning)

>

> 3.1(c) Qualifying Use. It is the current intent of Landlord and Tenant that the Center, when fully constructed, contain 1,200,000 sq.ft. of subleaseable area under roof (it doesn't specifically say you can't have more than 1.2 mil. sq.ft. -- the intent of the residential is to have that in addition to the 1.2 mil. sq.ft.)

>

> same section: Landlord acknowledges and agrees that to maintain the Center's Character it is not necessary that there be any specific number or kind of Qualifying Subtenants, or that Qualifying Subtenants occupy any specific amount of leasable space within any building (except the first building in Phase One), or that a particular building have Qualifying Subtenants (sounds like not all of the complex needs to have the technology focus, and that even an entire building can be non-qualifying uses).

>

> Bottom line is that there is no clear cut answer in the lease, which is why staff feels that this question needs to go to Council for a decision.

>

> As for Los Arcos Crossing, I'm glad you are getting together with Rick to talk about this. He has explored a number of concepts for that site (which he has under contract but does not own yet). We have stressed that the neighborhood is really looking for retail services, and he has explored that option. It looks like, however, that all retail won't pencil, and so he's probably going to have to go with a mixed use concept. I'll be interested in hearing your feedback after you meet with him.

>

> Hope this helps. Give me a call if you'd like to talk further. Dave

>

>

> Dave Roderique
> Economic Vitality General Manager
> City of Scottsdale
> 7447 E. Indian School Rd., Suite 200
> Scottsdale, AZ 85251
> 480-312-7601
> droderique@scottsdaleaz.gov

>

>

> -----Original Message-----

> From: nancy cantor [mailto:nancyanncantor@cox.net]

> Sent: Tuesday, May 16, 2006 9:40 AM

> To: Roderique, David

> Cc: jprsh@cox.net; f8713@aol.com

> Subject: Re SkySong and Los Arcos Crossing

>

>

> David!

>

> I am sure you are getting your share of phone calls and emails re the commercial side of the SkySong and Los Arcos Crossing redevelopment projects.

>

> Like Mike, I want clarity on that lease re multifamily housing - would really like to see the actual document.

>

> What I am very concerned about are the propose/persued retail tenants that have been communicated with and how you all are working with the SkySong team to bring business in.

>

> Tomorrow, Wed., Rita and I are meeting with the PDG America, Inc. people to discuss their project. What can you tell us so far so we are prepared?

>

> We really want to get this whole thing right so that the flow from Scottsdale Rd. to the Greenbelt is the best possible. AND so that the needs of the community are addressed.

>

> Nancy

> (480)516-4666 cell

> (602)254-5299 office - feel free

King, Kristi

From: Ekblaw, Kroy
Sent: Tuesday, May 16, 2006 1:46 PM
To: John Anderson (E-mail)
Cc: Gawf, Ed
Subject: Skysong residential facts

John,

The following are some very simple key points regarding what the developer is doing and will need pursue to allow residential units on the site:

- The developer of Skysong has begun discussions with the city to explore the feasibility of including residential units with the first 320,000 square feet of office/retail development.
- No application has been filed with the city to begin the process.
- The zoning for the project allows residential, however the ground lease will need to be amended to allow the residential units.
- To build the units, the developer will need to receive City Council approval for the ground lease and will need Development Review board approval for the design of the site plan and elevations.
- The developer will host a public open house in the next 14-21 days and will address questions regarding the site design, etc.
- Any submittal for amending the ground lease will require City Council approval and will occur in a public hearing.
- Any submittal for the site and building design will require Development Review Board approval and will occur in a public hearing.

I will call you in a few minutes, and please let me know if you have any questions, Thanks,

Kroy S. Ekblaw
Executive Assistant for Strategic Projects
City of Scottsdale
(480) 312-7064 – Office

Roderique, David

From: nancy cantor [nancyanncantor@cox.net]
Sent: Tuesday, May 16, 2006 9:40 AM
To: Roderique, David
Cc: jprsh@cox.net; f8713@aol.com
Subject: Re SkySong and Los Arcos Crossing

David!

I am sure you are getting your share of phone calls and emails re the commercial side of the SkySong and Los Arcos Crossing redevelopment projects.

Like Mike, I want clarity on that lease re multifamily housing - would really like to see the actual document.

What I am very concerned about are the propose/persued retail tenants that have been communicated with and how you all are working with the SkySong team to bring business in.

Tomorrow, Wed., Rita and I are meeting with the PDG America, Inc. people to discuss their project. What can you tell us so far so we are prepared?

We really want to get this whole thing right so that the flow from Scottsdale Rd. to the Greenbelt is the best possible. AND so that the needs of the community are addressed.

Nancy
(480)516-4666 cell
(602)254-5299 office - feel free

King, Kristi

From: jprsh [jprsh@cox.net]
Sent: Monday, May 15, 2006 12:10 PM
To: Gawf, Ed
Cc: Nancy Ann Cantor
Subject: When and where??

Ed,

Both Don C and Steve Evans & Susan BitterSmith stated that the adhoc committee is going to be called together this coming week.

So when and where since the SkySong mess needs , as both Nancy and I have informed them and Susan this past weekend that, the issue needs very prompt dealing with-meaning all but immediately, please.

There has already been way too much misinformation and misstepping going on this past week or so to keep us all putting out fires any longer. I don't know who started the rumor mill, though I do now have some suspicions as to whom and why, but that having been said and the SkySong Site, I hope is now being corrected as it only added fuel to the prarie fire, lets get at this now.

Rita

Roderique, David

From: Dolan, Jan
Sent: Monday, May 15, 2006 11:52 AM
To: Roderique, David
Subject: FW: Good Morning

Jan Dolan
City Manager
3939 N. Drinkwater Blvd.
Scottsdale, AZ 85251
480.312.2422
www.ScottsdaleAZ.gov

-----Original Message-----

From: Dap0804@aol.com [mailto:Dap0804@aol.com]
Sent: Monday, May 15, 2006 11:44 AM
To: Manross, Mary; Drake, Betty; Ecton, Wayne; Lane, Jim; Littlefield, Robert; McCullagh, Ron; Osterman, Kevin; Dolan, Jan; Gawf, Ed; redbirdbranch@earthlink.net
Subject: Good Morning

I am totaly bummed out on hearing all the apartments in Los Arcos. Next hearing that Los Arcos Crossing wants to put in housing (apartments, Lofts) whatever. If you OK these ideas you will be throwing a possible 1600 people in Los Arcos and God knows how many in Los Arcos Crossing. Where in heavens name are we going to shop??? I guess Good Will, Salvation Army, Boys and Girls Thrift shop. I thought the RFP in 1997 was for Retail, Retail, Retail. Just means we will have to go out of town and use Gas and give out tax money to other areas. Darlene Petersen

Roderique, David

From: Dolan, Jan
Sent: Monday, May 15, 2006 10:18 AM
To: Roderique, David; Gawf, Ed
Subject: FW: As reported by Casey Newton, Mixed used planned for Los Arcos Crossing

Jan Dolan
City Manager
3939 N. Drinkwater Blvd.
Scottsdale, AZ 85251
480.312.2422
www.ScottsdaleAZ.gov

-----Original Message-----

From: F8713@aol.com [mailto:F8713@aol.com]
Sent: Sunday, May 14, 2006 3:02 PM
To: nancyanncantor@cox.net; Drake, Betty; Lane, Jim; casey.newton@scottsdalerepublic.com; McCullagh, Ron; Littlefield, Robert; Ecton, Wayne; Osterman, Kevin; Dolan, Jan
Cc: laurie.roberts@scottsdalerepublic.com; jprsh@cox.net; mike.ryan@pni.com; Dap0804@aol.com; fixscottsdale@hotmail.com
Subject: Re: As reported by Casey Newton, Mixed used planned for Los Arcos Crossing

Dear Mrs. Cantor,

Please note my remarks in Blue, short on time but felt the need to respond.

In a message dated 5/13/2006 6:52:38 P.M. US Mountain Standard Time, nancyanncantor@cox.net writes:

Well, Mike and all: I have just left a meeting with Steve Evans of the ASU Foundation that he requested due to the information that has been printed in the newspapers this last week.

Rita Saunders-Hawranek and I have seen the plans, the proposal and all of the original agreements with the City and he was kind of enough to provide us with copies of all statements from City Council meetings and work studies. *Good, I want to see the copies you have and compare them with mine.*

Right now it appears that the news stories were inaccurate and due to someone "leaking" the information, it appears that the Ad Hoc Committee does have a meeting with the ASU Foundation scheduled before any of this goes to Council for a decision. So we jumped the gun on the secrecy issue. *Personally I believe you are wrong about "jumping the Gun". Why is there a need for "secrecy" in any of this? Why would you go to the Ad-Hoc group without already making it clear the public was invited to any and all meetings? You know I have a HUGE distrust of our city staff and even the council on these issues.*

The request is for 325 apartments at market rate proposed, one, two and three bedroom up to 1,200 sq. ft. Not priced out of reach like the McDowell Village. It does have to be approved by Council. *Again Nancy you miss the point. There is a reason that the lease contained uses that were not allowed, and one of those happens to be residential and for the obvious reason we did not want it there according to what was supposed to be built there. The plan was for residential to surround the site, not be on it and is what the residents requested, period. You asked for our involvement and we did that and the unacceptable uses are clearly listed by those requests from the Community. Are residents now supposed to say, okay, I guess we have to live with it as*

usual?

The web site that we have all been going to SkySongCenter.com, is very inaccurate in depicting the residential sites. THAT WILL BE CORRECTED.

The 800 units is the cap for residential. One building of Phase I of the tech building sites is 80% leased and building two of Phase I is 33% leased. Announcements regarding that will be coming soon. ***Really, then why is there still two sections of red in the plans that are the same color being used for residential showing up on other sections of the plans like directly across from the 800 units. Here is another little problem that we do not want to see that the city has done Downtown. You have 800 going up on site (if it passes a referendum) and you have another 425 on the other side in an already densely populated area. So, how much more impact do we see to the community streets and McDowell? Matter of fact, how much more impact do we see to the residential communities period and please consider this question over the span over say 10 years. You know as well as I do that residents have not been supportive of more people moving into the area when this whole plan started going and we sure as hell don't want huge increases in residential like the city did Downtown with no planning. The fact that the area is still under a redevelopment designation has people already wondering about how the city will be acting since we have people like Manross and Osterman who support using Condemnation for redevelopment because they are ignorant in the area of redeveloping.***

Retail is going to be coming along very soon, but they first needed to get the tech building leased. ***Then it would be a good ideal to not piss us off with trying to change the lease that residents supported under what was to be banned. Some people need to play by the rules because if they do not residents still have the power to bring this to a screeching halt regarding housing.***

Susan Bitter-Smith has been asked to help with the outreach on this and I have given her many of your names and numbers to contact so that you are always in the loop.

Since the Nesvig issue, does anyone really think this is a good idea? Sorry, but I have big distrust problems with this group anymore.

I know that it is important to get back to you all in a timely manner and you know that I don't believe that "silence is golden." If you have any questions send them along. If I don't have the answers, I will tell you so and then try to get the info that you need. ***I have no problem with time and to tell you the truth I am not going to just sit around as the residents spoke on the issue of Housing on the site and we were okay with the hotel issue, but we are never going to accept housing. Bottom line and end of story, we got involved, we made our request, the city placed it in the lease and that is the way it will remain unless the city and ASU want to take the entire lease issue back for a referendum. Sorry dear, we put a plan together and that is the plan and I remind you with the Los Arcos Crossing issue now on the table, the plans we started with our working and we just need to stay the course that was discussed.***

are happy, then

> why is the city and ASU stirring up a hornets nest with the community?

>

> There has to be some kind of financial back door, behind the scenes, in

> closed room reason for the city and ASU to be willing to tick off residents to

> the point they are when there is already progress for what was thought would
> happen for the area.

>

> Thanks Casey, as usual you help shed light on things that others refuse to

> let residents know about, good job.

>

> There is definitely something seriously wrong with what is happening here

> regarding Sky Swamp and I smell me a RAT in this deal somewhere.

>

> Regards,

> Mike Merrill

King, Kristi

From: jprsh [jprsh@cox.net]
Sent: Friday, May 12, 2006 1:20 PM
To: Don Couvillion
Cc: Gawf, Ed; Dolan, Jan
Subject: Fw: Sky Sqwak

Don, Am forwarding this to you so that you can get the "timber" of community response on this issue at this point and to Ed and Jan as well. There will be nothing but emnity over this request for change on site at this point in time if a meeting of the minds is not instituted and I do mean yesterday.

I am not one to threaten and, as you should know, am not unwilling for this issue to be fully vetted. The ball is now in your court, Ms.Michaels not withstanding,

Sadly Nancy's is not the only mailbox to be overburdened with emails these past few days.

Time is running and with the election coming this Tuesday anger will likely change folks attitudes and mayhaps this is a time when the southside may actually get out and vote and not, I fear, for doing much yessing on this issue or spending either.

Rita

----- Original Message -----

From: nancy cantor
To: JPRSH@COX.NET
Sent: Friday, May 12, 2006 9:29 AM
Subject: Sky Sqwak

☹️ **Are you really awake????** Hm-m-m!!! I am at work....☹️

I have been thinking about Mr. Couvillion last night, and read all of the articles in the news this morning.☹️ If you talk to him this morning or today, please make it clear that if the Ad Hoc members are confused and unclear and suspicious regarding SkySqwak, then certainly they can understand how the rest of the community feels.

After reading Mr. Evans comments in the morning Scottsdale Republic, and those of Ms Harper of Higgins, they are building a great deal of resentment within the community by:

- * the way they are communicating their intentions,
- * lack of communication with the Ad Hoc committe to begin with
- * not addressing the development of the retail (so important to the neighborhood)/commercial/office space provisions of the agreement they have made with the community, not just Council and Mayor. Dodging the language that calls for the development of 1 million sq. ft. of commercial

space before development of residential is not dealing in good faith.

* by placing a residential development at a point on the site that most of the neighborhood would have objected to to begin with due to the proximity of an 800 unit structure so close to the homes south of the site (doing this alone with out discussion is a real slap at residents)

I dare say they should have contact information on all of us and the Ad Hoc should have been the first group to go to, because they have changed the use of the site for the parking structure as we all viewed it on display at the James Hotel and through the series of meetings at the Design Center.

You can tell them that the neighborhood does feel betrayed. This is not a regular partnership for City, residents and ASU, at least not from the perspective of citizens. This sits on a higher plain for two reasons. One we all respect education and the advances that take place daily. Secondly, this has been a long difficult ordeal for residents lasting at least 9 years. Nothing having to do with revitalization has been handled clearly or with conviction until 2004, and at that the timelines are extended.

To be sure, since the redevelopment of the housing for the McDowell Village site was botched as to affordability and green building, people are digging in their heels and are mistrusting to begin with.

Feel free to print this out and hand it to him, or forward it to him, whatever.

If they want the 836 emails that I have received so far to date, I can provide them, but it might ruin their weekend.....☺

Later,

Nancy

King, Kristi

From: Stockwell, Brent

Sent: Friday, May 12, 2006 11:42 AM

To: Gawf, Ed

Subject: skysong

Regarding SkySong, the proposal for residential development is in addition to the 1.2 million square feet of office/research/retail uses already approved on the site. The proposed residential development would not replace or remove any portion of the research-oriented development on the site. Residential uses are allowed under the zoning for the 42 acre site, however, the lease required any proposals for residential development to come back to the City Council for approval to ensure the research and office components would be built first. The proposal will require an amendment to the approved SkySong development Master Plan. There will be public hearings by the Development Review Board and the City Council.

06/01/2006

Gawf, Ed

From: gcknowlton@cox.net
Sent: Wednesday, May 10, 2006 11:29 PM
To: jprsh; Gawf, Ed
Cc: Andrea Michaels; Paul Burns; margaret dunn; James Cramer; Margaret; Kurt Merschman; Marilyn Armstrong; Steve Steinberg; George Adams
Subject: Re: SkySong Input meeting
Importance: High

I most definitely want to be included in this meeting. I'm off Monday's but don't get off work until 5:30 Tue-Fri so a later time would be better on those days.

George Knowlton

--
"The size, scope and purposes of our government are no longer anchored in and limited by our Constitution. For conservatives who want to restore limited government, their first order of business is to restore the authority of the Constitution's original intent."
--Tom Krannawitter

----- jprsh <jprsh@cox.net> wrote:

> Ed,
>
> Do believe after multiple conversations these past few days, that we're
> going to take you up on your request to "pow wow" with a now quite
> irritated
> and angered group of hornets stirred by this latest twist in the wind of
> "apartments already on the SkySong Site" and "request for amending lease
> and
> other documents already approved by the cities various departments and
> commissions".
> The meeting must be in the Kiva Conference Room or Design Studio to afford
> sufficient space for the various participants and the AdHoc Citizens
> Committee re:LosArcos Project, as well as the steering committee of the
> Scottsdale Coalition, must be allowed to attend and that includes Darlene
> Peterson if she wants and other citizen groups and people who want to
> attend. And with certainty Darlene does want a seat at this table.
> I expect we will find a number of opinions and options expressed in such a
> discussion and this is the right time to get a pulse and a consensus if one
> is to be found.
> We can all meet fter 2:30 any afternoon or in the evening 5:ish and for many
> of our various people who work that may likely be best.....Thursday this
> week and next is out of the question for me, Friday after noon time works
> and is OK for both Nancy and me. Co-ordinating this is up to you and your
> staff and the sooner the better.
> Please, take it from there. We could do a Monday/Tuesday though we might
> butt heads with the Council due to time, so that might not be a great day to
> ingather all the participants.
> We also need to do this as soon as possible since it appears this train
> already has wheels of it's own and is running on another and entirely
> independent of "the population at interest" train system.
> Thank you,
> Rita Saunders-Hawranek
>
>

King, Kristi

From: Lusardi, John
Sent: Wednesday, May 10, 2006 6:11 PM
To: Gawf, Ed; Ekblaw, Kroy; Gray, Frank; Grant, Randy
Cc: Galav, Lusia; Cummins, Mac; Conner, Tim
Subject: FW: Skysong Residential planning & design comments

Ed,

Attached are planning staff's comments on the preliminary site plan and elevations for the proposed residential development.

We have reviewed them with Kroy, and they contain his suggestions and additions.

Kroy also has copies of the two documents that are referenced in the review comments.

Let us know if you need any additional material or staff for the meetings.

Thank you
John

Planning & Design Review Comments List for Phase 3 Skysong – Residential

Preliminary Planning Comments:

With the recent addition of a residential component to the developer's proposal for the ASUF SkySong project, the city recommends the following comprehensive planning items be addressed as part of the development review application:

1. Demonstrate how this project responds to the *Design Guidelines and Development Framework for the ASU-Scottsdale Center for New Technology and Innovation and the Surrounding Area*. Specifically, show how the project (including the newly proposed residential component) achieves the vision and guiding principles (pages 10-12) of the guidelines document? The response should include a project narrative and graphics illustrating how the project supports the guidelines' intent.
2. Provide a comprehensive site plan that includes phases I and II of the project as well as the newly proposed Phase III residential housing and parking structures. The site plan should clearly illustrate all circulation elements (pedestrian, bicycle, vehicular and transit) both internally and externally to the site. Additionally, the site plan should address the proposed building relationships between all three phases of the project as well as the building relationships to the surrounding area (residential neighborhoods to the south, future commercial area to the east etc.).
Items of note to be addressed:
 - a. Garage access/ingress/egress.
 - b. Issues associated with cut-through traffic through surrounding residential neighborhoods.
 - c. Pedestrian, bicycle and transit linkages through the site and to key local and regional destinations.
 - d. Sensitive design that takes into account the pedestrian environment to, through, in and on the site.
 - e. Since Phase III introduces a new residential component to the project site, the design of the residential buildings should incorporate elements that correlate back to the broader south Scottsdale residential architectural/design vernacular.
3. Demonstrate the community benefit that this project provides to balance the development incentives of the PCD.
4. Describe and demonstrate how this proposed residential product in the mixed use campus supports the sustainability, innovation, and technology development goals of the overall project.
5. Public Art?

Preliminary Design Review Comments May 10, 2006:

Due to the limited amount of information provided (1- elevation, 1- perspective, & 1- 1st floor site plan) to staff for review the following comments should be considered as preliminary and not comprehensive.

Context & Site Issues:

1. The land use and intensity appears quite different than the initially proposed conceptual zoning plan. Has the developer considered adjusting the minimum site standards such as pedestrian ways, building step backs (human scale) and other site related connectivity elements to be more geared to residential comfort and character?
2. Illustrate the following qualitative issues:
 - a. Pedestrian scale along architectural facades adjacent to pedestrian walkways.
 - b. Appropriate widths of pedestrian walkways in combination to structured and landscape shade. Illustrated levels of walkways and treatments representing the various hierarchal importances of the routes.
 - c. Quality spaces for transitional pedestrian nodes at appropriate and important locations of arrival and decision points along pedestrian routes.
 - d. Illustrate the elements that will assure that the Paseo area (between office and proposed residential buildings) will be a quality pedestrian space rather than become a service alley in character.

Massing, Context, and Composition:

3. South & 74th St. Edge: The edges along the southern boundary and 74th Street are seen as extremely important to the overall success of this proposal especially in terms of transition to and relationship with the adjacent neighborhood. The following issues should be addressed:

Although the current design may have met the letter of the zoning set back and step backs along the southern edge of the site, suggest reconsideration of the design of the southern edge in regards to:

- a. Adequate base planting areas along building frontage to permit shade trees (preferably double depth) of a scale to help break down the continuous long and tall wall building mass along this pedestrian way and sensitive site edge.
- b. Stepping the massing down and providing pedestrian scaled elements such as low covered entry shade structures, intermittent covered sections of walkways with arbors, arcades or other similar architectural forms.

Preliminary Planning & Design Comments
SkySong Phase 3 – Residential
May 10, 2006

- c. Embracing stylized elements of the existing surrounding residential neighborhood context such as roof forms (gable and or hip) masonry detailing, fenestration proportion and styles etc.
- d. Similar special attention to the 74th street façade should also be taken into consideration as a transition from the residential neighborhoods to the south in scale, form, contextual design elements, human scale, etc...If a transition is desired towards the interior of the site it should be a progressive one.

4. General Overall Massing Appearance:

- a. In addition to the above comments related to breaking or stepping down the mass of the south elevation, similar comments should be considered on all facades in relation to pedestrian comfort in terms of human scale.
- b. Overall the outer massing might be improved greatly if the applicant will consider breaking the mass down into what might appear as a series of similar, yet different buildings. This should entail strong vertical and horizontal massing changes, grouped (building) fenestration changes, related yet different detail elements, materials, colors...etc

5. Other Architectural and Design Elements of Concerns:

- a. Scottsdale / Southwest Design Character? Address and explain how the design will meet the *Scottsdale Sensitive Design Principles* 1, 2, 5, 6, 7, 8, 9, 10, 11, 12, & 13.
- b. The inverted shed roof forms are both troubling in context and functional consideration.
- c. Cantilevered masses and fenestration patterns over entries seem uncomfortable from a logical and reasoning standpoint.
- d. Elements such as the vertical fins and smaller canopies appear to be applied or attached without much relationship to the overall design. These seem to be more of a distraction than if deeply (12" or more) recessed windows were used or other integrated architectural details were used such as angling the windows in protective directions.
- e. Much of the lower story elevations can not be judged in terms of overall and detailed design composition due to the elevation and rendering's use of opaque trees. Submit both 2 & 3 dimensional drawings with and without trees.
- f. It appears that there are little or no private exterior balconies or terraces. This seems to be negatively impacting the overall design. Along with providing functional amenity spaces, these elements often also produce interesting design features and rhythms.

End of preliminary design comments May 10, 2006

King, Kristi

From: nancy cantor [nancyanncantor@cox.net]
Sent: Wednesday, May 10, 2006 3:02 PM
To: laurie.roberts@arizonarepublic.com; azsbird@yahoo.com; Lane, Jim; sbsmith@azcable.org; rob.melnick@asu.edu; betzco@cox.net; Dap0804@aol.com; F8713@aol.com; Investigators@abc15.com; bob@flightskills.com; fixscottsdale@hotmail.com; Nnesvig4scc@aol.com; bpowell@aztrib.com; GUARDBADENOCH@aim.com; pharuff@earthlink.net; barbaraespinosa@msn.com; AZ73@aol.com
Cc: jprsh@cox.net; City Council; Gawf, Ed; Dolan, Jan
Subject: Re: SKY Squawk

Sure why not.

----- F8713@aol.com wrote:

> And I am going to play Linus and come behind her and give her the good swift
> kick she deserves...

King, Kristi

From: F8713@aol.com

Sent: Wednesday, May 10, 2006 2:54 PM

To: nancyanncantor@cox.net; laurie.roberts@arizonarepublic.com; azsbird@yahoo.com; Lane, Jim; sbsmith@azcable.org; rob.melnick@asu.edu; betzco@cox.net; Dap0804@aol.com; bob@flightskills.com; Investigators@abc15.com; fixscottsdale@hotmail.com; Nnesvig4scc@aol.com; GUARDBADENOCH@aim.com; bpowell@aztrib.com; pharuff@earthlink.net; barbaraespinosa@msn.com; AZ73@aol.com

Cc: jprsh@cox.net; City Council; Gawf, Ed; Dolan, Jan

Subject: Re: SKY Squawk

And I am going to play Linus and come behind her and give her the good swift kick she deserves...

05/10/2006

King, Kristi

From: George Knowlton [fixscottsdale@hotmail.com]
Sent: Wednesday, May 10, 2006 2:28 PM
To: Dap0804@aol.com; nancyanncantor@cox.net; laurie.roberts@arizonarepublic.com; azsbird@yahoo.com; Lane, Jim; sbsmith@azcable.org; rob.melnick@asu.edu; betzco@cox.net; F8713@aol.com; City Council; Investigators@abc15.com; bob@flightskills.com; Nnesvig4scc@aol.com; bpowell@aztrib.com; GUARDBADENOCH@aim.com; pharuff@earthlink.net; barbaraespinosa@msn.com; AZ73@aol.com
Cc: jprsh@cox.net; Gawf, Ed; Dolan, Jan
Subject: Re: SKY Squawk

It's true to the best of my knowledge and we've been "backdoored" so to speak.

From: Dap0804@aol.com
To: nancyanncantor@cox.net, laurie.roberts@arizonarepublic.com, azsbird@yahoo.com, jlane@scottsdaleaz.gov, sbsmith@azcable.org, rob.melnick@asu.edu, betzco@cox.net, F8713@aol.com, CityCouncil@scottsdaleaz.gov, Investigators@abc15.com, bob@flightskills.com, fixscottsdale@hotmail.com, Nnesvig4scc@aol.com, bpowell@aztrib.com, GUARDBADENOCH@aim.com, pharuff@earthlink.net, barbaraespinosa@msn.com, AZ73@aol.com
CC: jprsh@cox.net, egawf@scottsdaleaz.gov, jdolan@scottsdaleaz.gov, citycouncil@scottsdaleaz.gov
Subject: Re: SKY Squawk
Date: Wed, 10 May 2006 16:48:28 EDT
MIME-Version: 1.0
Received: from imo-d04.mx.aol.com ([205.188.157.36]) by bay0-mc2-f7.bay0.hotmail.com with Microsoft SMTPSVC(6.0.3790.1830); Wed, 10 May 2006 13:53:08 -0700
Received: from Dap0804@aol.com by imo-d04.mx.aol.com (mail_out_v38_r7.5.) id w.409.1745bb6 (57341); Wed, 10 May 2006 16:48:28 -0400 (EDT)
Is it true that Steve Evans is a developer of apartments and condo's . What does that say if it is true. I feel like Charlie Brown. Darlene

05/10/2006

King, Kristi

From: nancy cantor [nancyanncantor@cox.net]
Sent: Wednesday, May 10, 2006 2:03 PM
To: laurie.roberts@arizonarepublic.com; azsbird@yahoo.com; Lane, Jim; sbsmith@azcable.org; rob.melnick@asu.edu; betzco@cox.net; Dap0804@aol.com; F8713@aol.com; bob@flightskills.com; Investigators@abc15.com; fixscottsdale@hotmail.com; Nnesvig4scc@aol.com; GUARDBADENOCK@aim.com; bpowell@aztrib.com; pharuff@earthlink.net; barbaraespinosa@msn.com; AZ73@aol.com
Cc: jprsh@cox.net; City Council; Gawf, Ed; Dolan, Jan
Subject: Re: SKY Squawk

And Mary is Lucy and just pulled the football away.

----- Dap0804@aol.com wrote:

> Is it true that Steve Evans is a developer of apartments and condo's . What
> does that say if it is true. I feel like Charlie Brown. Darlene

King, Kristi

From: Dap0804@aol.com
Sent: Wednesday, May 10, 2006 1:48 PM
To: nancyanncantor@cox.net; laurie.roberts@arizonarepublic.com; azsbird@yahoo.com; Lane, Jim; sbsmith@azcable.org; rob.melnick@asu.edu; betzco@cox.net; F8713@aol.com; City Council; Investigators@abc15.com; bob@flightskills.com; fixscottsdale@hotmail.com; Nnesvig4scc@aol.com; bpowell@aztrib.com; GUARDBADENOCK@aim.com; pharuff@earthlink.net; barbaraespinosa@msn.com; AZ73@aol.com
Cc: jprsh@cox.net; Gawf, Ed; Dolan, Jan; City Council
Subject: Re: SKY Squawk

Is it true that Steve Evans is a developer of apartments and condo's . What does that say if it is true. I feel like Charlie Brown. Darlene

King, Kristi

From: Dodds, Pat
Sent: Wednesday, May 10, 2006 1:02 PM
To: Melton, Judy
Cc: Gawf, Ed; Ekblaw, Kroy; Meinhart, Robin; Wallace, Shannon; Register, Judy; Roderique, David; Audley, Paul; Phillips, Mike
Subject: Phone calls on SkySong

Judy, I called Ms. Wilson back re: the SkySong proposal and assured her of the following, which may help answer other calls:

- The residential component is a proposal from the development team, not from the city.
- The residential units proposed by the developer do not replace the office/research/retail uses already approved at the site. The proposal is for a residential component that would complement what has already been approved.
- We have no indication the residential proposal will affect timing of the development that's already underway.
- The City Council will have to approve any plans to allow residential on the site. Outreach to the public and neighborhood is being planned, so that neighbors can get detailed questions answered.

King, Kristi

From: Don Couvillion [Don.Couvillion@asu.edu]
Sent: Wednesday, May 10, 2006 12:16 PM
To: Gawf, Ed; jb@berrydamore.com; s.o.evans@cox.net
Subject: RE: SkySong Input meeting

I would prefer to meet with the ad hoc members first.

-----Original Message-----

From: Riley, Danise [mailto:DARILEY@SCOTTSDALEAZ.GOV] On Behalf Of Gawf, Ed
Sent: Wednesday, May 10, 2006 11:43 AM
To: jb@berrydamore.com; Don Couvillion; s.o.evans@cox.net
Subject: FW: SkySong Input meeting

Forwarding per Ed's request.

Thank you, Dani Riley

-----Original Message-----

From: jprsh [mailto:jprsh@cox.net]
Sent: Wednesday, May 10, 2006 11:28 AM
To: Gawf, Ed
Cc: Margaret; Marilyn Armstrong; George Adams; Paul Burns; James Cramer; Kurt Merschman; Andrea Michaels; Steve Steinberg; margaret dunn
Subject: SkySong Input meeting

Ed,

Do believe after multiple conversations these past few days, that we're going to take you up on your request to "pow wow" with a now quite irritated and angered group of hornets stirred by this latest twist in the wind of "apartments already on the SkySong Site" and "request for amending lease and other documents already approved by the cities various departments and commissions".

The meeting must be in the Kiva Conference Room or Design Studio to afford sufficient space for the various participants and the AdHoc Citizens Committee re:LosArcos Project, as well as the steering committee of the Scottsdale Coalition, must be allowed to attend and that includes Darlene Peterson if she wants and other citizen groups and people who want to attend. And with certainty Darlene does want a seat at this table.

I expect we will find a number of opinions and options expressed in such a discussion and this is the right time to get a pulse and a consensus if one is to be found.

We can all meet fter 2:30 any afternoon or in the evening 5:ish and for many of our various people who work that may likely be best.....Thursday this week and next is out of the question for me, Friday after noon time works and is OK for both Nancy and me. Co-ordinating this is up to you and your staff and the sooner the better.

Please, take it from there. We could do a Monday/Tuesday though we might butt heads with the Council due to time, so that might not be a great day to ingather all the participants.

We also need to do this as soon as possible since it appears this train already has wheels of it's own and is running on another and entirely independent of "the population at interest" train system.

Thank you,

Rita Saunders-Hawranek

King, Kristi

From: Dap0804@aol.com
Sent: Wednesday, May 10, 2006 11:56 AM
To: Gawf, Ed
Subject: Hi

You need a big room. Darlene

King, Kristi

From: f8713@aol.com
Sent: Wednesday, May 10, 2006 11:42 AM
To: jprsh@cox.net; Gawf, Ed
Cc: mrdunn@mycingular.blackberry.net; mkainaz@cox.net; george.adams@gdds.com; pebatty@yahoo.com; jcramer@sch.org; kmerschman@ssd.com; madcap_thinkher@yahoo.com; SISteinberg@leodaly.com; mdunn@olliethetrolly.net
Subject: Re: SkySong Input meeting

Rita,

Thanks for the blind invite however I have no use in meeting with Ed or any member of staff on this issue.

It was clear from the beginning that there was to be no residential on site and staff even agreed to that when the lease banned residential on the site.

Our support in this issue will only be the denial of the request for residential on the site and to stick to what residents supported through the efforts of the AD HOC committee and other public input sessions.

This stance is non negotiable.

Regards,
Mike Merrill
Citizens for Responsible Redevelopment

-----Original Message-----

From: jprsh <jprsh@cox.net>
To: Gawf, Ed <egawf@scottsdaleaz.gov>
Cc: Margaret <mrdunn@mycingular.blackberry.net>; Marilyn Armstrong <mkainaz@cox.net>; George Adams <george.adams@gdds.com>; Paul Burns <pebatty@yahoo.com>; James Cramer <jcramer@sch.org>; Kurt Merschman <kmerschman@ssd.com>; Andrea Michaels <madcap_thinkher@yahoo.com>; Steve Steinberg <SISteinberg@leodaly.com>; margaret dunn <mdunn@olliethetrolly.net>
Sent: Wed, 10 May 2006 11:28:10 -0700
Subject: SkySong Input meeting

Ed,

Do believe after multiple conversations these past few days, that we're going to take you up on your request to "pow wow" with a now quite irritated and angered group of hornets stirred by this latest twist in the wind of "apartments already on the SkySong Site" and "request for amending lease and other documents already approved by the cities various departments and commissions".

The meeting must be in the Kiva Conference Room or Design Studio to afford sufficient space for the various participants and the AdHoc Citizens Committee re:LosArcos Project, as well as the steering committee of the Scottsdale Coalition, must be allowed to attend and that includes Darlene Peterson if she wants and other citizen groups and people who want to attend. And with certainty Darlene does want a seat at this table.

I expect we will find a number of opinions and options expressed in such a discussion and this is the right time to get a pulse and a consensus if one is to be found.

We can all meet fter 2:30 any afternoon or in the evening 5:ish and for many of our various people who work that may likely be best.....Thursday this

05/10/2006

King, Kristi

From: jprsh [jprsh@cox.net]
Sent: Wednesday, May 10, 2006 11:28 AM
To: Gawf, Ed
Cc: Margaret; Marilyn Armstrong; George Adams; Paul Burns; James Cramer; Kurt Merschman; Andrea Michaels; Steve Steinberg; margaret dunn
Subject: SkySong Input meeting

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Please, take it from there. We could do a Monday/Tuesday though we might butt heads with the Council due to time, so that might not be a great day to ingather all the participants.

We also need to do this as soon as possible since it appears this train already has wheels of it's own and is running on another and entirely indipendent of "the population at interest" train system.

Thank you,

Rita Saunders-Hawranek

King, Kristi

From: gcknowlton@cox.net
Sent: Wednesday, May 10, 2006 11:29 PM
To: jprsh; Gawf, Ed
Cc: Andrea Michaels; Paul Burns; margaret dunn; James Cramer; Margaret; Kurt Merschman; Marilyn Armstrong; Steve Steinberg; George Adams
Subject: Re: SkySong Input meeting
Importance: High

I most definitely want to be included in this meeting. I'm off Monday's but don't get off work until 5:30 Tue-Fri so a later time would be better on those days.

George Knowlton

--

"The size, scope and purposes of our government are no longer anchored in and limited by our Constitution. For conservatives who want to restore limited government, their first order of business is to restore the authority of the Constitution's original intent."
--Tom Krannawitter

----- jprsh <jprsh@cox.net> wrote:

> Ed,
>
> Do believe after multiple conversations these past few days, that we're
> going to take you up on your request to "pow wow" with a now quite
> irritated
> and angered group of hornets stirred by this latest twist in the wind of
> "apartments already on the SkySong Site" and "request for amending lease
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> We can all meet fter 2:30 any afternoon or in the evening 5:ish and for many
> of our various people who work that may likely be best.....Thursday this
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> and is OK for both Nancy and me. Co-ordinating this is up to you and your
> staff and the sooner the better.
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> ingather all the participants.
> We also need to do this as soon as possible since it appears this train
> already has wheels of it's own and is running on another and entirely
> independent of "the population at interest" train system.
> Thank you,
> Rita Saunders-Hawranek
>
>

King, Kristi

From: jprsh [jprsh@cox.net]
Sent: Wednesday, May 10, 2006 11:28 AM
To: Gawf, Ed
Cc: Margaret; Marilyn Armstrong; George Adams; Paul Burns; James Cramer; Kurt Merschman; Andrea Michaels; Steve Steinberg; margaret dunn
Subject: SkySong Input meeting

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Thank you,

Rita Saunders-Hawranek

Roderique, David

From: Dolan, Jan
Sent: Wednesday, May 10, 2006 11:24 AM
To: Roderique, David
Subject: Fw: SKY Squawk

Jan Dolan
City Manager
Scottsdale, AZ 85260
480.312.2422
www.scottsdaleaz.gov

Sent from my BlackBerry Wireless Handheld

-----Original Message-----

From: nancy cantor
To: laurie.roberts@arizonarepublic.com; azsbird@yahoo.com; Lane, Jim; sbsmith@azcable.org; rob.melnick@asu.edu; betzco@cox.net; Dap0804@aol.com; F8713@aol.com; City Council; Investigators@abc15.com; bob@flightskills.com; George Knowlton; Nnesvig4scc@aol.com; bpowell@aztrib.com; GUARDBADENOCH@aim.com; pharuff@earthlink.net; barbaraespinosa@msn.com; AZ73@aol.com
CC: jprsh@cox.net; Gawf, Ed; Dolan, Jan; City Council
Sent: Wed May 10 11:02:24 2006
Subject: Re: SKY Squawk

Dear Ones:

I have been sitting this morning in a state of very strange calm.

That has not happened in ten years.....when I exploded and literally stripped the threads on a bolt holding the shock absorbers in my son's 1986 Olds Cutlass, when the thing would not loosen up and come out after I had worked on it with my husband for three hours. Ah-h the good old days.

A fraud has been perpetrated by the ASU Foundation and Higgins/Plaza the development partners. If the City Council goes along with this then they are guilty of aiding and abetting this fraud. I could be persuaded to file a class action suit against the lot of them for fraud, misrepresentation, violation of their fiduciary responsibilities as elected officials, malfeasance plus damages and I want jail time for the lot of them. Can you file for wasting the Ad Hoc Committee members time, too?

As things stand right now I want copies of all documents, NOW, that were provided to our ELECTED officials by Mr. Berry and the Higgins/Plaza developers and the ASU Foundation. I also want documentation of all meetings held between City staff and Elected officials and when and where these meetings took place and who was in attendance.

Not stopping there, I would like documentation of all entities contacted or spoken with regarding the commercial/retail aspects of the SkySong Center since 2003, and who represented the City in discussions.

All of the above information should fall under the public information guidelines.

Prop. 402????? In the words of that great orator G. W. Bush,

"Fool me once, ah-h-h, f-f-fool me twice, m-m-m, well, we can't be fooled again...."

I realize now that my appointment to the Housing Board next week will probably go down in flames. So, be it.

Nancy Cantor

King, Kristi

From: nancy cantor [nancyanncantor@cox.net]
Sent: Wednesday, May 10, 2006 11:02 AM
To: laurie.roberts@arizonarepublic.com; azsbird@yahoo.com; Lane, Jim; sbsmith@azcable.org; rob.melnick@asu.edu; betzco@cox.net; Dap0804@aol.com; F8713@aol.com; City Council; Investigators@abc15.com; bob@flightskills.com; George Knowlton; Nnesvig4scc@aol.com; bpowell@aztrib.com; GUARDBADENOCH@aim.com; pharuff@earthlink.net; barbaraespinosa@msn.com; AZ73@aol.com
Cc: jprsh@cox.net; Gawf, Ed; Dolan, Jan; City Council
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Nancy Cantor

King, Kristi

From: Dolan, Jan
Sent: Wednesday, May 10, 2006 10:59 AM
To: Gawf, Ed; Roderique, David
Subject: Fw: SKY Swindle is a done deal with the council

Jan Dolan
City Manager
Scottsdale, AZ 85260
480.312.2422
www.scottsdaleaz.gov

Sent from my BlackBerry Wireless Handheld

-----Original Message-----

From: Manross, Mary
To: Dolan, Jan
Sent: Wed May 10 10:52:22 2006
Subject: Fw: SKY Swindle is a done deal with the council

Sent from my BlackBerry Wireless Handheld

-----Original Message-----

From: f8713@aol.com
To: AZ73@aol.com; City Council; barbaraespinosa@msn.com; betzco@cox.net;
sbsmith@azcable.org; Investigators@abc15.com; Lane, Jim;
laurie.roberts@arizonarepublic.com; bob@flightskills.com; Nnesvig4scc@aol.com;
pharuff@earthlink.net; GUARDBADENOCH@aim.com; azsbird@yahoo.com; Dap0804@aol.com;
bpowell@aztrib.com; rob.melnick@asu.edu
CC: nancyanncantor@cox.net; fixscottsdale@hotmail.com; jprsh@cox.net
Sent: Wed May 10 10:40:36 2006
Subject: Re: SKY Swindle is a done deal with the council

Sounds good to me, I already have one PAC registered under the power of recall and I think the Mayor should be the first one to be taken out....

-----Original Message-----

From: AZ73
To: F8713; CityCouncil@scottsdaleaz.gov; barbaraespinosa@msn.com; betzco@cox.net;
sbsmith@azcable.org; Investigators@abc15.com; jlane@scottsdaleaz.gov;
laurie.roberts@arizonarepublic.com; bob@flightskills.com; Nnesvig4scc;
pharuff@earthlink.net; GUARDBADENOCH@aim.com; azsbird@yahoo.com; Dap0804;
bpowell@aztrib.com; rob.melnick@asu.edu
Cc: nancyanncantor@cox.net; fixscottsdale@hotmail.com; jprsh@cox.net
Sent: Wed, 10 May 2006 12:45:55 PM Eastern Daylight Time
Subject: Re: SKY Swindle is a done deal with the council

THIS ONE HAS GOT ME SUPER PISSED

These lying bastards (with the exception of Littlefield who voted against it)

This qualifies for an effort to recall the entire council based on lies misrepresentation, illegal use of city funds (Purchase of los arcas to subsidize ASU buildings etc) God I hate these bastards and bitches. No imagination, lies, misrepresentation. This is but another reason why they are not entitled to MORE MONEY they want in next week election. None of this projects resembles the multiple images

presented to the public as to what would be built on this property

The plan I had (which they never would look at) would have given us an asset we and ASU could have been proud of and which would have increased ASU enrollment PLUS prepared our people for the high tech jobs of the future and would have provided the CENTRAL PARK the geniuses now say the valley needs. And i prepared all my concepts 5 years ago and the bulk of it would have been paid for with corporate donations and investments

I am furious

Gordon E Fitzgerald

King, Kristi

From: Dap0804@aol.com
Sent: Wednesday, May 10, 2006 8:47 AM
To: jprsh@cox.net; Gawf, Ed; mkainaz@cox.net; george.adams@gdds.com;
pebatty@yahoo.com; jcramer@sch.org; kmerschman@ssd.com;
madcap_thinker@yahoo.com; SISteinberg@leodaly.com; mdunn@olliethetrolly.net; Dolan,
Jan; City Council
Cc: forum@aztrib.com; mscarp@aztrib.com; casey.newton@scottsdalerepublic.com
Subject: Re: SkySong Inquiry

Good Morning. I am between laughing and crying. Did anyone expect anything different from ASU and the City? Promises made and promises broken. Councilman Littlefield stated exactly what I thought "Bait and Switch." We expected apartments in some areas on Scottsdale Road but not in Los Arcos. We wanted and need retail, retail, retail. Concentrate on that first with the Los Arcos lot. Start building the promised retail and office on top. The council gave away the 36 ft. high limit for the buildings. So what else is new. Shame on all of you if you let this go through.

Darlene Petersen
480 994-9010
7327 E. Wilshire Dr.
Scottsdale, AZ. 85257

King, Kristi

From: Kevin O'Neill [koneill@ocompaniesinc.com]
Sent: Wednesday, May 10, 2006 8:01 AM
To: Gawf, Ed
Subject: FW: SKY Swindle is a done deal with the council

Ed,

I assume you have seen this, but if not here you go. I forward it to you only so that I can ask what the current status is of the property that the City owns at Skysong. It is my understanding that residential is not allowed under the terms of the lease with ASUF; however that residential was going to be considered on the three acres the City owns. Is this correct? Is the City still considering residential on their property and if so what plans are being considered?

Thank you,
Kevin

From: f8713@aol.com [mailto:f8713@aol.com]
Sent: Wednesday, May 10, 2006 7:26 AM
To: jschwartz@slilc.net; jtheitel@cox.net; sisteinberg@leoadaly.com; koneill@ocompaniesinc.com
Subject: Fwd: SKY Swindle is a done deal with the council

Well, thanks for taking our concerns into consideration when we asked that the portion of residential on the ASU deal zoning was asked to be removed.

I think some of our planning commissioners need to come up to snuff on issues when we bring them to the planning commission.

You have stated before that you want public input at your meetings regarding issues of the South, well, we gave you some input, now you see why we have no faith in the process anymore...

Regards
Mike Merrill

-----Original Message-----

From: F8713
To: CityCouncil@scottsdaleaz.gov; F8713
Cc: nancyanncantor@cox.net; fixscottsdale@hotmail.com; jprsh@cox.net; Dap0804
Sent: Wed, 10 May 2006 10:12:06 -0400
Subject: SKY Swindle is a done deal with the council

Since I have already heard from multiple city sources and now as it is printed in the papers, the council is already locked in on approving residential for Sky Song.

It again wreaks of the done deal attitude of the city council with no way to stop it because the council has already made up there mind on the issue. Again we can say so much for the issue of not making a decision before it reaches the council chambers and look who again is at the forefront of the issue of back dooring the citizens of the city.

That means look at the players involved and how some of the other projects brought forward by these folks changes to their advantage.

05/10/2006

Everyone who worked and participated in the process needs to understand that Residential was never permitted on the site and that the "applicants" need to change the lease to make this happen. As a matter of point, residential was banned under the lease of not even 3 years ago.

Remember the fact that we told the city no residential on the site as that was not part of the project, and we remember very clearly the words of staff that their would be no residential on the site at both the planning commission meeting and the city council meeting.

Now the city is making refrence to a "multi use" facility as stated by non other than Ed Gawf, the same person who continually expressed no residential on the site. So, since this is now being considered as a "multi use" site how much farther will the city council and staff screw over the people who took the time to add their voices to the project?

Can you see why it is the city residents have no trust in our elected leaders to follow the commitments of the process and statements of their own staff?

Can you see now why we have no faith in a fair hearing because Council has already been lobbied to make sure the developers get their way?

Can you see now why we cannot trust the city to hold to plans that were etched in blood by residents time and efforts to assure we got what the residents wanted?

Can you say, watch how quickly you can get screwed over by the city on any project that has public input because you really do not matter in issues and your opinions mean nothing after the work is done?

Changing the lease is a legal action and open to challenge, lets just remember that when the council approves this fiasco that they have already agreed on behind closed doors and backroom negotiations.

Regards,
Mike Merrill

King, Kristi

From: Dolan, Jan
Sent: Wednesday, May 10, 2006 7:44 AM
To: Gawf, Ed; Roderique, David
Subject: Fw: Skysong

Jan Dolan
City Manager
Scottsdale, AZ 85260
480.312.2422
www.scottsdaleaz.gov

Sent from my BlackBerry Wireless Handheld

-----Original Message-----

From: Manross, Mary
To: Dolan, Jan
Sent: Wed May 10 07:18:05 2006
Subject: Fw: Skysong

Fyi

Sent from my BlackBerry Wireless Handheld

-----Original Message-----

From: nancy cantor
To: City Council; Manross, Mary; nancy cantor
CC: Dap0804@aol.com; jprsh@cox.net; swl170@cox.net; cmschild@cox.net; cawthorn@cox.net
Sent: Tue May 09 21:44:01 2006
Subject: Skysong

I am hearing from many quarters of the City that the residential element that has been secretly proposed by the developer for SkySong is already a done deal with a majority vote on Council.

This is most troublesome as it makes it appear that the whole Ad Hoc Committee process was money ill spent.....not so good as we approach the vote on 402. It is also another slap in the face to committees and task forces put together by Council for the purpose of citizen input.

It also does not speak well for the planning process, to go through site planning and then, before the property is excavated, the site plan is scrapped.

It does not say much for the intention of the developer and ASU to participate in Scottsdale. Their arrogance supported by the deft hands of Mr. Berry just adds to the disregard for public process. We are becoming all too familiar with this in Scottsdale.

You publicly stated no residential would be placed on the site. Check the www.skysongcenter.com web site and see that it is already on their plan. This is before the community was formally informed. Before the people who will have to live with it were allowed to be heard.

Disgusting

King, Kristi

From: nancy cantor [nancyanncantor@cox.net]
Sent: Wednesday, May 10, 2006 7:09 AM
To: City Council; Manross, Mary; nancy cantor
Cc: jprsh@cox.net; Gawf, Ed; sw1170@cox.net
Subject: SkySong

This is exactly what I meant when I stood before you asking you to develop "standards and procedures" for revitalization of the older neighborhoods, especially including infill commercial and residential projects that would increase density and impact the infrastructure of the community.

Quality of life is only important to those of you who can afford it, apparently. So, it seems is the governmental process.

I was hoping that the idea of pursuing the "village concept" for neighborhood planning and input, as done in Phoenix, would be considered, or at least discussed by now. I can see why it has not.

Thank you for your time and inattention.

Nancy Cantor

Roderique, David

From: rmue1ler1@netzero.com
Sent: Wednesday, May 10, 2006 6:54 AM
To: City Council
Subject: Bait and switch

Contact Information (if blank, user did not provide):

Name: Rick Mueller
Address: ,
C/S/Z: ,
Phone:

MESSAGE:

Question: How does putting dorms at the Los Arcos site "increase home values" as repeatedly stated? This is good ol' bait and switch - I'm just surprised it took two years for them to try and pull it off.

This message was generated from the following web page:

<http://72.14.207.104/search?q=cache:xwAAzpLXFmIJ:www.scottsdaleaz.gov/+city+of+scottsdale&hl=en&gl=us&ct=clnk&cd=1>

Roderique, David

From: rmueller1@netzero.com
Sent: Wednesday, May 10, 2006 6:40 AM
To: City Council
Subject: Skyjoke

Contact Information (if blank, user did not provide):

Name: Rick Mueller
Address: ,
C/S/Z: ,
Phone:

MESSAGE:

Let this thing die on the vine Say NO to dorms. This was to be a "technology" center with high paying jobs and not a student playground!!! This project was ill conceived from the start and this is a prime example. Will luxury apartments become de facto dorms? Casey Newton The Arizona Republic May. 9, 2006 05:07 PM People may be able to live at SkySong, ASU's new Scottsdale technology center, almost as soon as they will be able to work there.

This message was generated from the following web page:
<http://www.scottsdaleaz.gov/>

King, Kristi

From: Andrea Michaels [madcap_thinker@yahoo.com]
Sent: Tuesday, May 09, 2006 11:37 PM
To: jprsh; Gawf, Ed; Marilyn Armstrong; George Adams; Paul Burns; James Cramer; Kurt Merschman; Steve Steinberg; margaret dunn; Dolan, Jan; City Council
Cc: Forum; mscarp; casey.newton@scottsdalerepublic.com
Subject: Re: SkySong Inquiry - Another Perspective

I, too, was a member of the Ad Hoc Working Group for Sky Song (formerly the ASU/Scottsdale Center for Technology and Innovation). In *my* focus groups I heard more than a few *positive* discussions and suggestions about the possibility of incorporating residential/commercial mixed-use structures within and near the project. Those suggestions were brought up as a "hoped for" situation that sadly wasn't part of the initial program.

In my opinion, having a residential component to the project would help insure a 24/7 (or nearly-so) presence that would aid in keeping the area from becoming "dead" on the weekends and/or late at night and would help attract those innovative and entrepreneurial organizations and their employees. When housing is available close to work the demands on automobile transportation are reduced. Residents near a Transit-Oriented Destination are more likely to use whatever public transit is available.

How terrific for students, for researchers, and for entrepreneurs who'll be working in conjunction with ASU to have a residential component in the immediate area. Innovate, work late, and walk home! How great to have apartments near stores and offices, the "fab" lab, a grocery, a drug store, and a Starbucks! How nice to have a place where visitors in the hotels feel that they're in a community.

Further north along Scottsdale Rd. (in Phoenix) the residential component of Kierland will take advantage of the buzz and safety of an active area and will be a great part of its attraction. Other cities of many sizes: Charleston; Washington D.C.; Savannah, GA; Minneapolis, MN; Cleveland, OH; Paris (Place de Vosges) FR; NYC; Takoma Park, MD; Alexandria VA; Pasadena, CA; Portland, OR, to name just a few, have had much success by bringing people *back* into the commercial/office areas.

I am perplexed as to what aspect of adding a residential component is unacceptable. As I recall, the goal was to create an environment that is economically sound, architecturally interesting, unique in many ways, sensitive to and supportive of the needs in the greater neighborhoods.

Many points of view were offered by a *host* of participants. The ASU Foundation and ASU have brought enthusiasm, expertise, and importance to the area and the anticipated completion is ahead of schedule. The ASU Foundation, developers, and architects have been remarkably responsive to the *many* and *diverse opinions* they've heard, and Sky Song doesn't look as though it was designed by a committee.

From this AHWG member's perspective, Skysong will be nearly everything and more than our community imagined and hoped for. I say "Congratulations thus far!"

Sincerely,
 Andrea Michaels

jprsh <jprsh@cox.net> wrote:

To the members of City, Council, Staff, AdHoc Committee Members and the Community at Large:
 My personal apology as a member of the Ad Hoc Committee and a Board Member of the Scottsdale Coalition serving on the committee; I am sorry to have allowed us to be hoodwinked!

Perhaps I should have been looking for the other shoe to drop, with the construction on the old LosArcos property being "earth turned" and no participants other than ASUF on the tenant listing.

However, it was a shocker to be called this morning by the Tribune's Ryan G. to "comment" on the "residential component" proposed for the southern end of the SkySong site being pushed to the fore by

John Berry and others. Further, I was shocked to find the site plans noting the proposed buildable area on the SkySong Center web site.

I am not sure how the rest of our committee or the area residents, who participated in this design of revitalized mixed commercial use space including open space for community use and participation on the SkySong site, will respond. But this member, of the AdHoc committee, is totally and absolutely appalled at this underhanded endeavor.

I do remember that our group specifically voted down such use on the site as did members of the areas residential groups. Further, I recall that Darlene Peterson, when she raised this issue at the City Council open meeting to approve the plan was specifically assured by Ed Gawf that there would not be a residential component on site. However, the concept would be revisited as we had discussed in committee for adjacent areas such as: the eastern property street edge, the northern side of McDowell, and possibly along the southern and northern faces of Scottsdale Road around the site area for "mixed use" such as loft commercial and residential own/rental spaces.

Ed Gawf, I recall, stated that the caveat of possible "some day use as mixed residential once the site was at full commercial build out and some many years hence" is currently proposed for implementation now. I for one have to cry FOUL. FOR SHAME ON ALL OF YOU WHO PLAYED THE DECEIT GAME ON EVERYONE AND SPECIFICALLY THOSE WHO WORKED SO HARD AND DEALT SO DILIGENTLY AND HONESTLY FOR SO LONG TO MAKE THE SKY SONG COME TO LIFE AS A COMMUNITY REBIRTH AREA.

Sincerely,
Rita Saunders-Hawranek
Scottsdale, Arizona

Yahoo! Messenger with Voice. PC-to-Phone calls for ridiculously low rates.

King, Kristi

From: Dodds, Pat
Sent: Tuesday, May 09, 2006 9:48 PM
To: Dolan, Jan; Gawf, Ed; Ekblaw, Kroy
Subject: FW: Story on SkySong residential

FYI, if you did not see this already. Here's the text:

Will luxury apartments become de facto dorms?

Casey Newton
The Arizona Republic
May. 9, 2006 05:07 PM

People may be able to live at SkySong, ASU's new Scottsdale technology center, almost as soon as they will be able to work there.

The Arizona State University Foundation has plans to build 800 luxury apartments at SkySong, angering residents who say they were misled about the developer's intentions for the site.

SkySong, also known as the ASU Scottsdale Innovation Center, is under construction at Scottsdale and McDowell roads.
advertisement

Built on 37 acres at the former site of the Los Arcos Mall, the \$300 million project is a partnership between the ASU Foundation and Scottsdale. Offices there are scheduled to open next spring.

Residents hope the finished product will bring new vitality to the older neighborhoods around the center. City leaders say the high-quality development will drive away the pawnshops, strip clubs and payday loan stores that dominate the southern edge of Scottsdale.

But with few tenants announced for the 1.2 million-square-foot site, news that the developer was accelerating plans for residential buildings has many residents feeling uneasy.

"I feel like we have been hoodwinked," said Rita Saunders-Hawranek, who lives near the site. "It wasn't in our plan. It wasn't what the community wanted."

Saunders-Hawranek, who served on a citizens working group that created guidelines for the project, said the news left her "absolutely shocked out of (her) mind."

Another activist, Mike Merrill, said the residential component ran counter to site plans Scottsdale staffers showed him and others.

"We were told multiple times by staff that there would be no housing on the site and that we did not want any housing on the site," Merrill wrote in an e-mail.

About 800 living units are expected in total, according to plans posted on the project's Web site. Two residential developments are planned for the site. A third sits east of 74th Street.

Merrill worries that the apartments will become de facto dorms for ASU, which lies just a few miles south.

"The concept for SkySong is to create a true mixed-use community - with office research, retail and residential development," said Michele Irwin, a project spokeswoman. "The first two phases of commercial development (are) underway and this is the right time to introduce the first phase of residential development."

Scottsdale leaders hail the development as the catalyst for the recent revitalization of south Scottsdale, where quality of life had lagged far behind the rest of the city.

But SkySong has generated plenty of controversy in the community, starting with the \$130 million Scottsdale invested in a site that some City Council members said was worth far less.

Nearly two years after the agreement was announced, only two companies have leased space in the center, whose first

05/10/2006

buildings will contain 300,000 square feet of office and research space.

"They're baiting and switching people," said Councilman Bob Littlefield, one of two councilmen who voted against the original agreement. "Where are all those laboratories filled with cancer researchers? Where did all that go? Did I miss something?"

Residents also have pilloried the initial buildings' relatively bland, boxlike design.

Project officials said the apartments will be of high quality and likely will prompt the redevelopment of older apartment complexes south of the site.

Living space has always been part of the plan, they said. They are simply accelerating the time frame.

Requires council ok

The Scottsdale City Council would need to approve changes to 99-year lease it signed in 2004.

In an e-mail to concerned residents, Assistant City Manager Ed Gawf said the public would have several chances to offer feedback on the plans. He also sought to reassure residents that living space would be limited.

"During the planning process I consistently made the point that SkySong is first and foremost a technology and innovation center with office and limited retail uses," Gawf wrote. "I believe that a mixed-use project can be considered, but it must be complementary to the primary focus of the center."

Another member of the citizens working group, Margaret Dunn, called for calm in discussing ASU's residential plans.

"I think we (should) see what the plan is instead of thinking that it's going to be a dormitory and having a completely negative reaction," said Dunn, who owns a trolley business just north of SkySong. "We need to be open but take a step back and look at the process that it needs to go through."

Project officials were adamant that the apartments would not become dorms for ASU.

But from Littlefield's perspective, they might as well.

"Why don't they build a homeless shelter?" Littlefield said, with evident glee. "What about a drug rehab clinic? Let's go all the way. We'll find tenants for this thing if it kills us!"

-----Original Message-----

From: Google Alerts [mailto:googlealerts-noreply@google.com]

Sent: Tuesday, May 09, 2006 7:10 PM

To: Dodds, Pat

Subject: Google Alert - Scottsdale City

Google Alert for: **Scottsdale City**

Will luxury apartments become de facto dorms?

AZ Central.com - AZ,USA

... They are simply accelerating the time frame. The **Scottsdale City** Council would need to approve changes to 99-year lease it signed in 2004. ...

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Roderique, David

From: Gawf, Ed
Sent: Tuesday, May 09, 2006 3:21 PM
To: 'jprsh'; Marilyn Armstrong; George Adams; Paul Burns; James Cramer; Kurt Merschman; Andrea Michaels; Steve Steinberg; margaret dunn; Dolan, Jan; City Council
Cc: Forum; mscarp; casey.newton@scottsdalerepublic.com
Subject: RE: SkySong Inquiry

Rita, to clarify, while the developers of SkySong have approached the staff proposing to add residential uses to the project, no formal application has been submitted. Residential uses are allowed under the zoning for the 42 acres; however, the developers still must get City approval to modify the approved SkySong development plan. The staff has indicated that the non-residential buildings (office and retail) would be required to be built prior to or concurrent with any residential structures on at least a prorated basis. Also, the units cannot be dormitories or other types of student housing, rather the development must be market rate housing.

The staff has also emphasized to the developers the need for strong public outreach to the surrounding neighborhoods and members of the Ad Hoc committee who worked on the original plan prior to formal submission. Once the developers have formally submitted a proposal, staff will arrange a public open house to review the plans and receive additional comments. In addition, there will be public hearings by the Development Review Board and the City Council on the developer's request.

During the planning process I consistently made the point that SkySong is first and foremost a technology and innovation center with office and limited retail uses. However, I believe that a mixed-use project can be considered, but it must be complementary to the primary focus of the center. I am happy to meet with you at any time to review the concept of mixed use on the SkySong site.

-----Original Message-----

From: jprsh [mailto:jprsh@cox.net]
Sent: Tuesday, May 09, 2006 11:11 AM
To: Gawf, Ed; Marilyn Armstrong; George Adams; Paul Burns; James Cramer; Kurt Merschman; Andrea Michaels; Steve Steinberg; margaret dunn; Dolan, Jan; City Council
Cc: Forum; mscarp; casey.newton@scottsdalerepublic.com
Subject: SkySong Inquiry

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Perhaps I should have been looking for the other shoe to drop, with the construction on the old LosArcos property being "earth turned" and no participants other than ASUF on the tenant listing.

However, it was a shocker to be called this morning by the Tribune's Ryan G. to "comment" on the "residential component" proposed for the southern end of the SkySong site being pushed to the fore by John Berry and others. Further, I was shocked to find the site plans noting the proposed buildable area on the SkySong Center web site.

I am not sure how the rest of our committee or the area residents, who participated in this design of revitalized mixed commercial use space including open space for community use and participation on the SkySong site, will respond. But this member, of the AdHoc committee, is totally and absolutely appalled at this underhanded endeavor.

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Sincerely,
Rita Saunders-Hawranek
Scottsdale, Arizona

Roderique, David

From: Gawf, Ed
Sent: Tuesday, May 09, 2006 12:37 PM
To: Roderique, David
Subject: FW: SkySong Inquiry

fyi

-----Original Message-----

From: f8713@aol.com [mailto:f8713@aol.com]
Sent: Tuesday, May 09, 2006 12:27 PM
To: jprsh@cox.net; Gawf, Ed; mkainaz@cox.net; george.adams@gdds.com; pebatty@yahoo.com; jcramer@sch.org; kmerschman@ssd.com; madcap_thinker@yahoo.com; SISteinberg@leodaly.com; mdunn@olliethetrolly.net; Dolan, Jan; City Council
Cc: forum@aztrib.com; mscarp@aztrib.com; casey.newton@scottsdalerepublic.com
Subject: Re: SkySong Inquiry

Thanks Rita, I was hoping I was not the only person losing my mind in what I had heard.

Please note that during the Planning Commision meeting regarding the rezoning of the property our group asked the planning commissioners to remove the residential zoning portion to make sure this did not happen. We already knew what was going to happen but as usual I was politely heckled by one of our planning commissioners on this issue and we stated clearly that our group was opposed to any residential on the site.

It goes to show you why people tend not to join such committees or public input sessions. It is a waste of time as the city will do as they damn well please.

Regards,
Mike

-----Original Message-----

From: jprsh <jprsh@cox.net>
To: Gawf, Ed <egawf@scottsdaleaz.gov>; Marilyn Armstrong <mkainaz@cox.net>; George Adams <george.adams@gdds.com>; Paul Burns <pebatty@yahoo.com>; James Cramer <jcramer@sch.org>; Kurt Merschman <kmerschman@ssd.com>; Andrea Michaels <madcap_thinker@yahoo.com>; Steve Steinberg <SISteinberg@leodaly.com>; Margaret Dunn <mdunn@olliethetrolly.net>; Dolan, Jan <jdolan@scottsdaleaz.gov>; City Council <citycouncil@scottsdaleaz.gov>
Cc: Forum <forum@aztrib.com>; mscarp <mscarp@aztrib.com>; casey.newton@scottsdalerepublic.com
Sent: Tue, 9 May 2006 11:11:15 -0700
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Ed Gawf, I recall, stated that the caveat of possible "some day use as mixed residential once the site was at full commercial build out and some many years hence" is currently proposed for implementation now. I for one have to cry FOUL. FOR SHAME ON ALL OF YOU WHO PLAYED THE DECEIT GAME ON EVERYONE AND SPECIFICALLY THOSE WHO WORKED SO HARD AND DEALT SO DILIGENTLY AND HONESTLY FOR SO LONG TO MAKE THE SKY SONG COME TO LIFE AS A COMMUNITY REBIRTH AREA.

Sincerely,
Rita Saunders-Hawranek
Scottsdale, Arizona

King, Kristi

From: f8713@aol.com
Sent: Tuesday, May 09, 2006 12:27 PM
To: jprsh@cox.net; Gawf, Ed; mkainaz@cox.net; george.adams@gdds.com; pebatty@yahoo.com; jcramer@sch.org; kmerschman@ssd.com; madcap_thinker@yahoo.com; SISteinberg@leodaly.com; mdunn@olliethetrolly.net; Dolan, Jan; City Council
Cc: forum@aztrib.com; mscarp@aztrib.com; casey.newton@scottsdalerepublic.com
Subject: Re: SkySong Inquiry

Thanks Rita, I was hoping I was not the only person losing my mind in what I had heard.

Please note that during the Planning Commision meeting regarding the rezoning of the property our group asked the planning commissioners to remove the residential zoning portion to make sure this did not happen. We already knew what was going to happen but as usual I was politely heckled by one of our planning commissioners on this issue and we stated clearly that our group was opposed to any residential on the site.

It goes to show you why people tend not to join such committees or public input sessions. It is a waste of time as the city will do as they damn well please.

Regards,
 Mike

-----Original Message-----

From: jprsh <jprsh@cox.net>
To: Gawf, Ed <egawf@scottsdaleaz.gov>; Marilyn Armstrong <mkainaz@cox.net>; George Adams <george.adams@gdds.com>; Paul Burns <pebatty@yahoo.com>; James Cramer <jcramer@sch.org>; Kurt Merschman <kmerschman@ssd.com>; Andrea Michaels <madcap_thinker@yahoo.com>; Steve Steinberg <SISteinberg@leodaly.com>; margaret dunn <mdunn@olliethetrolly.net>; Dolan, Jan <jdolan@scottsdaleaz.gov>; City Council <citycouncil@scottsdaleaz.gov>
Cc: Forum <forum@aztrib.com>; mscarp <mscarp@aztrib.com>; casey.newton@scottsdalerepublic.com
Sent: Tue, 9 May 2006 11:11:15 -0700
Subject: SkySong Inquiry

To the members of City, Council, Staff, AdHoc Committee Members and the Community at Large:
 My personal apology as a member of the Ad Hoc Committee and a Board Member of the Scottsdale Coalition serving on the committee; I am sorry to have allowed us to be hoodwinked!

Perhaps I should have been looking for the other shoe to drop, with the construction on the old LosArcos property being "earth turned" and no participants other than ASUF on the tenant listing.

However, it was a shocker to be called this morning by the Tribune's Ryan G. to "comment" on the "residential component" proposed for the southern end of the SkySong site being pushed to the fore by John Berry and others. Further, I was shocked to find the site plans noting the proposed buildable area on the SkySong Center web site.

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Sent: Tuesday, May 09, 2006 11:11 AM
To: Gawf, Ed; Marilyn Armstrong; George Adams; Paul Burns; James Cramer; Kurt Merschman; Andrea Michaels; Steve Steinberg; margaret dunn; Dolan, Jan; City Council
Cc: Forum; mscarp; casey.newton@scottsdalerepublic.com
Subject: SkySong Inquiry

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Sincerely,
Rita Saunders-Hawranek
Scottsdale, Arizona

King, Kristi

From: nancy cantor [nancyanncantor@cox.net]
Sent: Tuesday, May 09, 2006 9:38 AM
To: f8713@aol.com; City Council; Gawf, Ed; Dolan, Jan
Cc: sw1170@cox.net; fixscottsdale@hotmail.com; jprsh@cox.net; Dap0804@aol.com
Subject: Re: SkySong

I would to meet with Mr. Berry and whoever/whichever entity asked for this residential addition, this week please, along with City staff involved with SkySong. All of the development people owe the area residents the courtesy of discussion and as our City leaders I would you are comfortable facilitating this meeting.

Could we please include all of the individuals included in this email.

Could you please provide information on the status of Los Arcos Crossing redevelopment at that time

Nancy Cantor
(480)516-4666 cell
(602)254-5299 office

----- f8713@aol.com wrote:

> Dear Ed,

>

> You apparently forgot that some of us went to the Planning Commission and told them to remove the housing portion from the zoning and we were rebuffed.

>

> Darlene Peterson took the issue before the council, again we were ignored.

>

> Maybe you folks did not understand that we were strongly opposed to having residential tied into the site for many reasons.

> One of those reasons is because we do not want it to turn into a dorm type atmosphere which we know after a period of time it will turn into based on conclusive evidence that the city rarely ever commits to what residents demand let alone enforces there own rules equally.

>

> Now we are talking about nearly 800 residential "rental" units being placed on the property and I for one am not going to stand for it, just like many other South Scottsdale residents will not stand for it.

>

> While a hotel is one thing, housing is a whole new ball game.

>

> ASU is at full capacity, do you think that they will not be steering their students to look at renting in these units?

>

> Is it also not true that there is nothing in the lease that says that ASU can make some of those buildings into classrooms?

>

> I really dont care when the city says they can build residentail there, the point is we never wanted in there and we told the city that at both the Council meeting and the Planning commission, the problem is that the city does not listen and you really need to start as if the city council approves the housing we all may end up at the ballot box agian to decide who the city had better start listening to.

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> I have already recieved one call from Berry however he response to him in this issue from me will still be NO, we do not want residential there, it is clear and simple for us to understand but as usual it is too complicated for the city to understand.

>

> Regards,

> Mike

>

> -----Original Message-----

> From: Gawf, Ed <egawf@scottsdaleaz.gov>
> To: nancy cantor <nancyanncantor@cox.net>; Dolan, Jan <jdolan@scottsdaleaz.gov>; City Council <CityCouncil@scottsdaleaz.gov>
> Cc: jprsh@cox.net; f8713@aol.com; sw1170@cox.net; DAP64@aol.com
> Sent: Mon, 8 May 2006 17:54:38 -0700
> Subject: RE: SkySong

>
>
> Nancy, as we discussed on the phone, the developers of SkySong are getting ready
> to propose adding residential uses to the project. While the residential use is
> allowed under the zoning, the developers still must get City Council approval to
> modify the lease. The non-residential buildings (office and retail) are required
> to be built prior to or concurrent with any residential structures. Also, they
> will not be dormitories or other types of student housing, rather the
> development is intended to be market rate rental housing. Once the developers
> submit a proposal, staff will arrange a public open house to review the plans
> and make comments. I will let you know when that meeting is, but feel free to
> call me if you have questions.

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> -----Original Message-----

> From: nancy cantor [mailto:nancyanncantor@cox.net]
> Sent: Monday, May 08, 2006 4:27 PM
> To: Dolan, Jan; Gawf, Ed; City Council
> Cc: jprsh@cox.net; f8713@aol.com; sw1170@cox.net; DAP64@aol.com
> Subject: SkySong

>
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> I understand that residential development is being proposed for the SkySong
> development. Please clarify what is being proposed and by who.

>
> The Scottsdale Coalition participated in the planning for the site and we were
> under the impression that there was to be no residential development on that
> property, either developed by ASU or by the City.

>
> It was our understanding that residential could go up on adjacent property at
> Los Arcos Crossing, for example.

>
> Nancy Cantor
> (480)516-4666

King, Kristi

From: f8713@aol.com
Sent: Tuesday, May 09, 2006 6:40 AM
To: Gawf, Ed; nancyanncantor@cox.net; Dolan, Jan; City Council
Cc: jprsh@cox.net; sw1170@cox.net; Dap0804@aol.com; fixscottsdale@hotmail.com
Subject: Re: SkySong

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To: nancy cantor <nancyanncantor@cox.net>; Dolan, Jan <jdolan@scottsdaleaz.gov>; City Council <CityCouncil@scottsdaleaz.gov>
Cc: jprsh@cox.net; f8713@aol.com; sw1170@cox.net; DAP64@aol.com
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06/01/2006

Subject: RE: SkySong

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Sent: Monday, May 08, 2006 4:27 PM
To: Dolan, Jan; Gawf, Ed; City Council
Cc: jprsh@cox.net; f8713@aol.com; swll70@cox.net; DAP64@ac_.com
Subject: SkySong

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(480)516-4666

06/01/2006

King, Kristi

From: F8713@aol.com
Sent: Monday, May 08, 2006 5:02 PM
To: nancyanncantor@cox.net; Dolan, Jan; Gawf, Ed; City Council
Cc: jprsh@cox.net; sw1170@cox.net; Dap0804@aol.com
Subject: Re: SkySong

If you haven't seen it, the SkySong website shows pretty substantial residential in the southeast corner of the site:

http://skysongcenter.com/images/siteplan_future.html

It was just a matter of when they were going to come forward with it, now we know....

We asked the planning commission to take that portion out of the zoning request, I believe Darlene brought up the issue to the council also.

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Nancy Cantor
(480)516-4666

King, Kristi

From: Dolan, Jan
Sent: Monday, May 08, 2006 4:44 PM
To: Gawf, Ed
Cc: Roderique, David
Subject: FW: SkySong

Importance: High

Ed: please send response with details as we know them

Jan Dolan
City Manager
3939 N. Drinkwater Blvd.
Scottsdale, AZ 85251
480.312.2422
www.ScottsdaleAZ.gov

-----Original Message-----

From: nancy cantor [mailto:nancyanncantor@cox.net]
Sent: Monday, May 08, 2006 4:27 PM
To: Dolan, Jan; Gawf, Ed; City Council
Cc: jprsh@cox.net; f8713@aol.com; swl170@cox.net; DAP64@aol.com
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Nancy Cantor
(480) 516-4666

Fuller, Bonnie

From: Cummins, Mac
Sent: Thursday, June 15, 2006 11:22 AM
To: Fuller, Bonnie
Cc: Galav, Lusia; Ekblaw, Kroy
Subject: FW: SkySong Apartments

Please place in the 88-DR-2005#2 case file. Kroy & Lusia, FYI.

Mac

-----Original Message-----

From: WebSiteUser@scottsdaleaz.gov [mailto:WebSiteUser@scottsdaleaz.gov]
Sent: Wednesday, June 14, 2006 9:52 PM
To: Cummins, Mac
Subject: SkySong Apartments

Do not reply to this message via email.
The Internet user did not provide a return email address:

It appears to me that the residents you live along 78th are least 300 feet from their parking...try carry your groceries that far. Has this Architect ever designed a wrap apartment building? You should visit California and you will see no one parks this far from the front door...

This message was feedback from the following web page:
<http://eservices.scottsdaleaz.gov/cases/casesheet.aspx?caseid=31636>
6/14/2006 9:52:10 PM

70.190.112.3 Mozilla/4.0 (compatible; MSIE 6.0; Windows NT 5.1; SV1; .NET CLR 1.1.4322; .NET CLR 1.0.3705) sessionId: 17221195



Proposed SkySong Residential Lease Amendment

**Presentation to Scottsdale City Council
July 10, 2006**

Planning & Development Services/Economic Vitality



Proposed SkySong Residential Lease Amendment

**Presentation to Scottsdale City Council
July 10, 2006**

Planning & Development Services/Economic Vitality

Tonight's Request

City Council is requested to adopt Resolution No. 6958 authorizing Agreement No. 2004-119-COS-A1, an amendment to the ground lease between the City and the Arizona State University Foundation Scottsdale L.L.C. to allow for the addition of residential uses at the SkySong project at the southeast corner of Scottsdale Rd. and McDowell Rd.

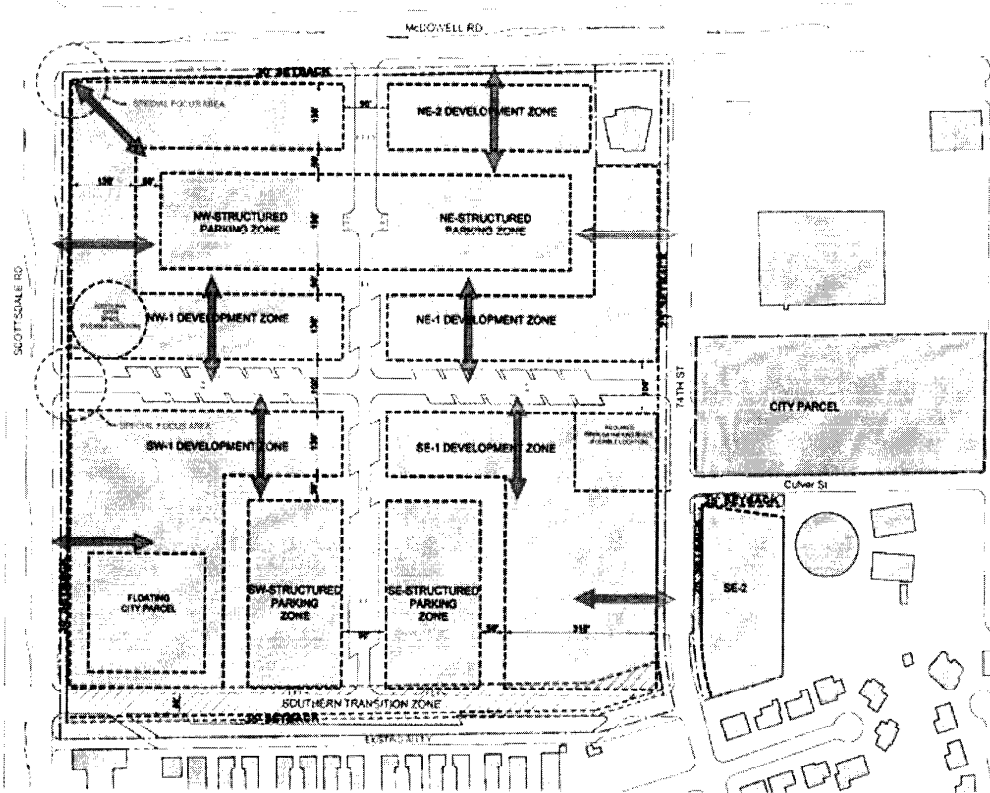


Background

- 7/04: Council approves development of Skysong – purchase of land, ASUF lease
- 8/04: Purchase/lease effective
- 2/05: Ad-hoc committee report released
- 6/05: Council approves zoning
- 12/05: Design approved for initial phases
- 1/06: Groundbreaking



Zoning Approval and Development Framework Plan

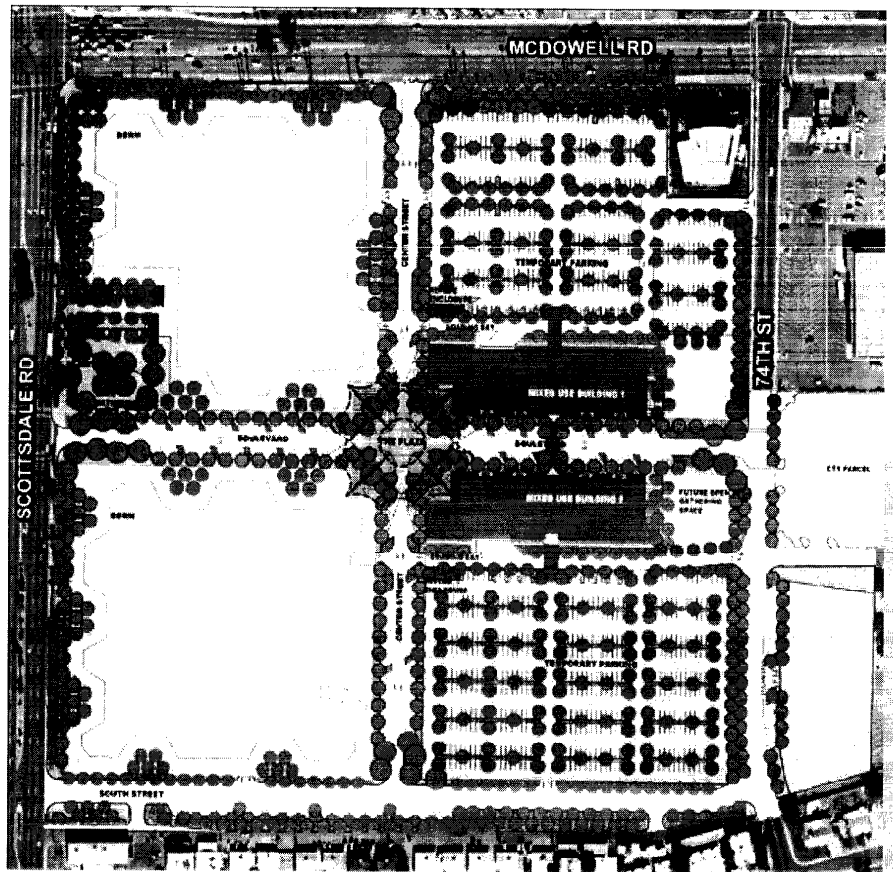


- First Floor Retail
- Center Boulevard/
Pedestrian
Orientation
- Transit Center
- Plazas and Public
Open Space
- Residential
- Transportation
Demand
Management (TDM)
- LEED Certified for
Office/ Retail
- 1.2 million sqft
Office & Retail



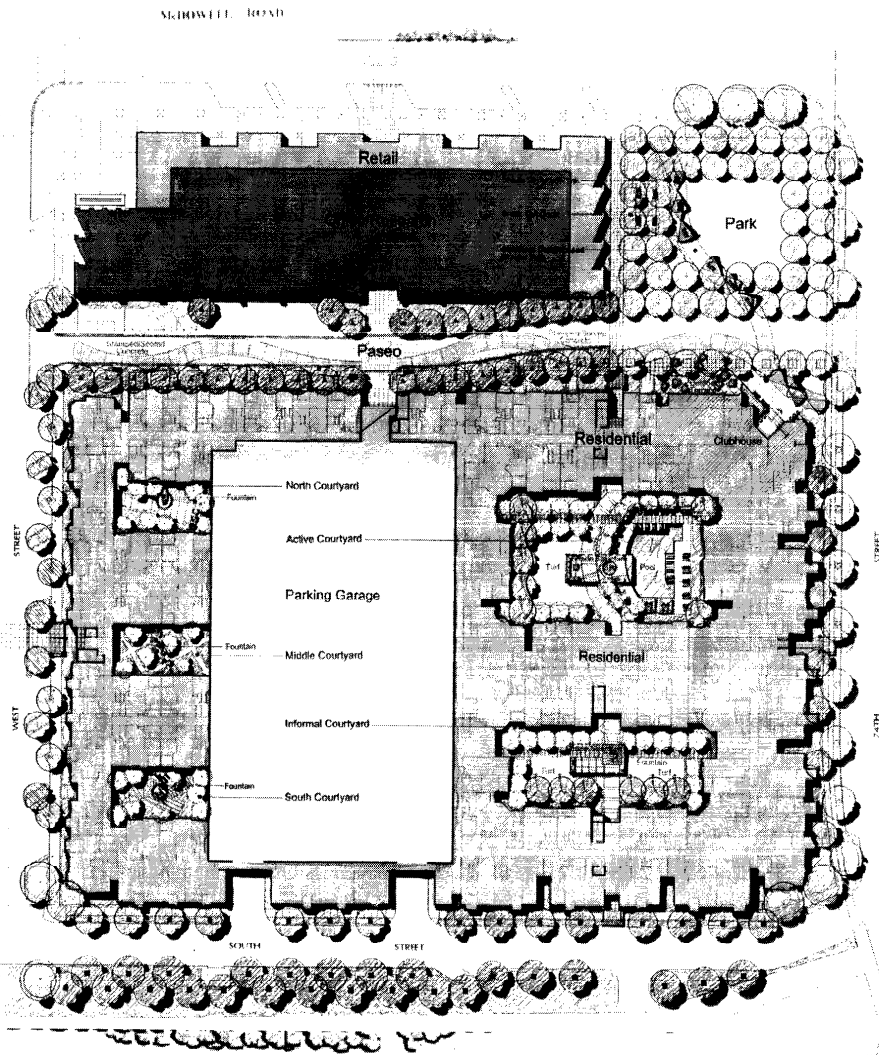
Phase I & II Approval

- Construction of Two (2) 157,000 square foot buildings (Phases 1 & 2)
- Addition of “Center Plazas” and Relocation of SkySong above Center Plazas
- Temporary parking facilities (Possible Structure)
- Infrastructure for the entire project
 - Internal roadways
 - Landscaping (Periphery & Internal along roadways)



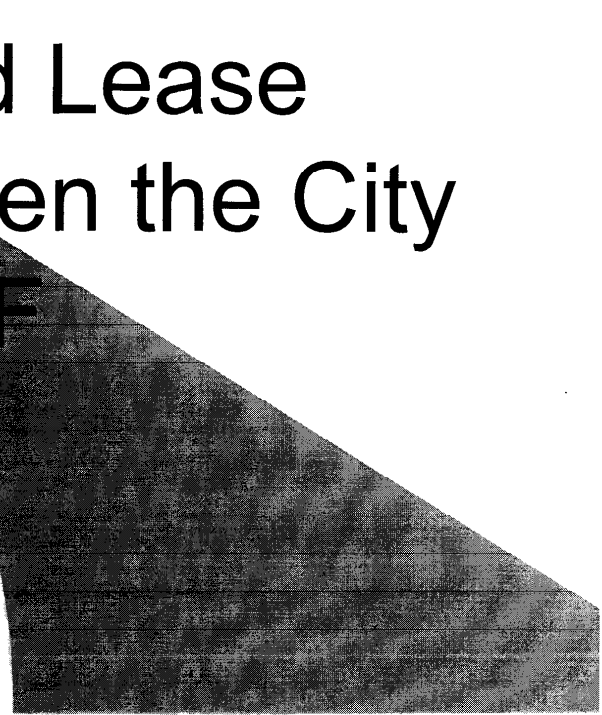
Phase III Residential Request

- **Modify Lease to Allow Residential** (zoning already allows residential)
- **Construction of 325 Residential Units**
- **900-1000 Space Parking Structure for Office & Residential**
- **Market Rate Housing**





Key Terms and Conditions of the Proposed Lease Amendment between the City and ASUF



Key Terms and Conditions

1. Residential Permitted: The amendment would allow for the development of a residential component at SkySong. The residential would be in addition to the currently required 1.2 mil. sq.ft. of commercial space, and would be required to be built within the current lease development parameters of 60' maximum height and 0.8 FAR maximum.



Key Terms and Conditions

2. Type of Residential: Any residential constructed must be designed, built, marketed, and operated as “market-rate” housing for the general public. It may not be used as student dorms, fraternities, sororities, or be used as any other type of student housing controlled by Arizona State University.



Key Terms and Conditions

3. Residential Phasing: The amendment specifies that the initial residential phase is limited to 325 units. Future additions (up to the max. allowed by zoning) would be allowed only as commercial space is built – one residential unit for each additional 1,000 sq.ft. of office/retail space after the initial development phases.



Key Terms and Conditions

4. City Costs: No costs of any kind relating to the residential will be borne by the City, or be part of the City's infrastructure cap of \$44.5 million. Additionally, the City's costs relating to the initial parking structure are capped at \$12,000 per space, even though current construction estimates are significantly higher.



Key Terms and Conditions

5. City Revenues: The amendment would provide for 2 opportunities for the City to participate in the residential project. For each residential unit developed, the City will receive \$9,200 upfront, to be credited against the infrastructure cap. In addition, the City can share in future net revenues from a sale of the complex over \$40,000 per unit, on a 50/50 basis.



Potential City Revenues

	<u>Initial 325 Units</u>	<u>Max. 805 Units</u>
Lease Rev.	\$2.99 mil.	\$7.40 mil.
New Tax Rev.	2.12 mil.	5.23 mil.
Total:	\$5.11 mil.	\$12.63 mil.
+ potential for sharing of net revenues		

The City's current infrastructure cap would
be reduced to: \$41.51 mil. \$37.1 mil.



Public Process

- Significant media coverage and community discussion of this proposal.
- 5/31: Community open house
- 6/13: Ad-hoc task force review
- 6/14: Planning commission
- DRB has held 2 study sessions
- Written communication from public was attached to the Council Report



Summary of Key Issues

1. Is residential appropriate at Skysong?
2. If so, what controls are in place to protect the community?
3. Won't additional residential in the area overburden the area infrastructure such as streets?
4. What are the financial benefits to City?
5. Is the proposed design appropriate?
6. Should there be any limitations on the number of residential units?



Summary

Staff recommends approving amendment.

- Residential adds to the project – mixed use, makes it more attractive to tenants, screens parking structures, etc.
- Financial benefits to the City with no costs
- Lease provides for protections for the community
- Design will still go through an extensive public review process



Proposed Council Action

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